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18L6-CC00153 - A [REDACTED] S [REDACTED] V LINCOLN COUNTY R-III SCHOOL ET AL (E-CASE)

Case Header

Parties & Attorneys

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01/15/2019

Entry of Appearance Filed

Entry of Appearance of Joshua E Douglass; Electronic Filing Certificate of Service.

Filed By: JOSHUA ELLIOT DOUGLASS**On Behalf Of:** LINCOLN COUNTY R-III SCHOOL DISTRICT, JOY LILLARD**Entry of Appearance Filed**

Entry of Appearance of Natalie A Hoernschemeyer; Electronic Filing Certificate of Service.

Filed By: NATALIE HOERNSCHEMEYER**On Behalf Of:** LINCOLN COUNTY R-III SCHOOL DISTRICT, JOY LILLARD

01/03/2019

Memorandum Filed

Filing Memorandum; Transcript of the Hearing; Exhibit 1; Exhibit 2; Exhibit 3; Exhibit 4; Exhibit 5; Exhibit 6; Exhibit 7; Exhibit 8; Exhibit 9; Exhibit 10; Exhibit 11; Exhibit 12.

Filed By: DANIEL JAMES RHOADS**On Behalf Of:** A [REDACTED] S [REDACTED], CHRIS SCHAEFER

12/13/2018

Order Appt Next of Friend

12/10/2018

Summons Issued-Circuit

Document ID: 18-SMCC-434, for LILLARD, JOY.

Summons Issued-Circuit

Document ID: 18-SMCC-433, for LINCOLN COUNTY R-III SCHOOL DISTRICT.

Motion to Appoint Next Friend

Petition and Consent to Appointment of Next Friend.

Filed By: DANIEL JAMES RHOADS**On Behalf Of:** A [REDACTED] S [REDACTED], CHRIS SCHAEFER

12/07/2018

Filing Info Sheet eFiling**Filed By:** DANIEL JAMES RHOADS**Application Filed**

Petition for Appointment of Next Friend.

Filed By: DANIEL JAMES RHOADS**On Behalf Of:** A [REDACTED] S [REDACTED], CHRIS SCHAEFER**Pet Filed in Circuit Ct**

Petition; Exhibit 1.

Judge Assigned**EXHIBIT A**

18L6-CC00153

Electronically Filed - LINCOLN COUNTY - December 07, 2018 - 02:48 PM

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSOURI
CIRCUIT JUDGE DIVISION

A ■■■ S ■■■■, a minor,
by and through next Friend,
CHRIS SCHAEFER,

Plaintiff,

vs.

LINCOLN COUNTY R-III
SCHOOL DISTRICT,

Serve at:

*951 W. College St.
Troy, MO 63379*

JOY LILLARD,
In Her Individual Capacity,

Serve at:

*951 W. College St.
Troy, MO 63379*

Defendants.

Case No. _____

Division No. _____

PETITION

COMES NOW Plaintiff, A ■■■ S ■■■■, a minor, by and through his Next Friend, Chris Schaefer, by counsel, Daniel J. Rhoads of **THE RHOADS FIRM, LLC**, and for his causes of action against Defendants, Lincoln County R-III School District and Joy Lillard In Her Individual Capacity, pleads the following facts upon his personal knowledge, information, and belief:

Parties

1. A ■■■ S ■■■■ is, and at all times relevant to this Petition was, a minor and a resident of the County of Lincoln, State of Missouri.

2. Chris Schaefer, the father of A ■ S ■ and his Next Friend in this action, is and at all times relevant to this Petition was an adult resident of the County of Lincoln, State of Missouri.

3. Defendant Lincon County R-III School District (“the District”) is a public school district located within the County of Lincoln, State of Missouri, and is a political subdivision of the State.

4. Defendant Joy Lillard is, and at all times relevant to this Petition was, an employee of the District and an Assistant Principal of Troy Buchanan High School. She is sued in her individual Capacity.

Jurisdiction and Venue

5. This Petition arises under the statutes and common law of the State of Missouri and under the laws of the United States; and Plaintiff has suffered damages in excess of \$25,000.

6. Plaintiff was first injured by the wrongful acts of Defendants in the County of Lincoln, State of Missouri, which is the county of Plaintiff’s residence.

Facts Applicable to All Counts

7. During the 2018-19 school year, A ■ was a student at Troy Buchanan High School (“TBHS”), which was and is one of the District’s schools.

8. A small number of TBHS students decided to joke as if one of the students, named C ■, was dead.

9. On Saturday, October 6, 2018, off-campus and using no District equipment or resources, A ■ posted to a private Snapchat group an absurd meme announcing “C ■’s funeral.” The meme contained a cartoonish image of C ■ inside a casket and a couple of silly emojis.

10. No reasonable person in good faith would believe, or claim to believe, or believe another's claim to believe, that the image was an actual photograph of C [REDACTED] in a casket or that the meme was a genuine funeral announcement.

11. The meme was eventually shared outside the private Snapchat group in which A [REDACTED] shared it.

12. Other students, acting independently of A [REDACTED], also made memes about C [REDACTED] and his death, which no one actually believed occurred.

13. On Monday, October 8, 2018, when A [REDACTED] was absent from TBHS, C [REDACTED] put another student, named L [REDACTED], into a choke hold during their fourth-hour class.

14. The teacher of that class sent an e-mail to Defendant Lillard to report C [REDACTED]'s attack on L [REDACTED].

15. The e-mail, which is attached to this Petition as Exhibit 1, states: "we have things under control." The teacher further writes, "I have not written them up, but you [Defendant Lillard] may want to have a conversation with them both."

16. Exhibit 1 does not mention A [REDACTED] and makes no reference to a meme created by A [REDACTED] or anyone else.

17. Exhibit 1 is the one and only e-mail that Defendant Lillard received from any person regarding any disruption at TBHS in connection with the alleged bullying of C [REDACTED].

18. The report, such as it was, of the alleged bullying of C [REDACTED] arose while C [REDACTED] was facing discipline for choking another student in class. According to Defendant Lillard, "That's why this whole incident came about."

19. Prior to Defendant Lillard's meeting with C [REDACTED], no teacher or student had reported any disruption at TBHS in connection with the alleged bullying of C [REDACTED].

20. In investigating the alleged bullying of C ■■■, Defendant Lillard learned about the meme that A ■■■ had created.

21. Defendant Lillard suspended A ■■■ for that meme for ten school days with a recommendation for additional days out of school. A ■■■'s alleged offense was "cyber bullying."

22. Superintendent Mark Penny, without meeting with A ■■■ or his parents, decided to extend A ■■■'s suspension through the end of the first semester of the 2018-19 school year. A ■■■'s alleged offense was "cyber bullying."

23. Defendants have maintained that A ■■■'s punishment was due to "cyber bullying" and not to any alleged threat.

24. Where a student participates in on-line speech with others, the analysis focuses on the speech that is "actually attributable" to the student facing discipline.

25. Out-of-school statements by students are protected under the First Amendment and not punishable by school authorities unless they (a) are true threats or (b) are reasonably calculated to reach the school environment *and* are so egregious as to pose a serious safety risk or other substantial disruption in that environment.

26. A school may only regulate speech under the "substantial disruption" exception if the speech is both (a) reasonably calculated to reach the school environment and (b) so egregious as to pose a serious safety risk or other substantial disruption in that environment.

27. It is not sufficient that a statement be reasonably calculated to reach a school audience; school officials must also show that the statements posed a substantial disruptive effect.

28. A ■■■, through his parents, appealed the long-term suspension; and an appeal hearing was conducted on November 6, 2018.

29. At the appeal hearing, Exhibit 1 was the only tangible evidence offered to show disruption at TBHS in connection with A■■■■'s conduct.

30. Defendant Lillard testified that she had taken written statements from other students, but no statements from other students were produced to the Schaefers or offered at the hearing.

31. Either Defendant Lillard lied about the existence of other statements or the District failed to disclose material evidence relating to the suspension.

32. The District did, however, produce memes and other images that were not created by or otherwise attributable to A■■■■ as part of its evidence package against A■■■■. These included such inflammatory memes as ones stating, "I raped C■■■■," and calling C■■■■ "gay." At the hearing, the District stipulated that A■■■■ had nothing to do with those memes.

33. At the hearing, Defendant Lillard provided testimony that was untrue and not credible, including but not limited to:

- a. that there had been "a moment of silence for [C■■■■] at the football game," even though C■■■■ was alive and well;
- b. that TBHS students thought the photograph of C■■■■ was "realistic" and "they took it pretty seriously," believing the meme to be a genuine funeral announcement, despite its absurd and cartoonish nature;
- c. that A■■■■ told Defendant Lillard that he called C■■■■ to taunt him and encouraged other students to do the same, even though neither A■■■■'s statement nor Defendant Lillard's notes reflected such an admission.

34. The statements that Defendant Lillard made during the hearing, as set forth above, were untrue; and Defendant Lillard knew that they were untrue at the time that she made them.

35. The members of the District's board of education who were at the hearing knew or should have known that Defendant Lillard was embellishing or lying in order to justify the punishment of A[REDACTED].

36. At the hearing, A[REDACTED] was confronted with a *fait accompli*. Defendants' conduct resulted in a denial of fundamental procedural unfairness.

37. On November 7, 2018, the District transmitted to Plaintiff its decision to uphold the long-term suspension of A[REDACTED].

38. On November 30, 2018, the District transmitted to Plaintiff its Findings of Fact and Conclusions of Law from the hearing.

39. The decision of the District was no more than a ratification of the prior decision made by Superintendent Penny.

40. As a direct and proximate result of the suspension, A[REDACTED] was excluded from his public school and deprived of educational benefits.

41. As a direct and proximate result of Defendants' conduct, A[REDACTED] has incurred attorney fees and legal costs.

42. As a direct and proximate result of Defendants' conduct, A[REDACTED] has suffered and continues to suffer damages, including but not limited to (a) emotional pain, suffering, inconvenience, and mental anguish; (b) loss of enjoyment of life; and (c) humiliation and loss of reputation.

Count I – Judicial Review of School Board Decision

43. Plaintiff incorporates the averments in the preceding paragraphs as if they were fully set forth herein.

44. The November 6, 2018, hearing was conducted under § 167.161 R.S.Mo., which provides the right to a trial *de novo* by the Circuit Court.

45. The decision of the District to uphold the long-term suspension of A ■ due to off-campus speech which had no, or *de minimis*, disruptive effect at TBHS:

- a. was in violation of constitutional provisions;
- b. was unsupported by competent and substantial evidence upon the whole record;
- c. was made upon unlawful procedure or without a fair trial;
- d. was arbitrary, capricious, or unreasonable; and
- e. involved an abuse of discretion.

46. Such defects of the appeal hearing render the District's decision unlawful.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor on Count I; order the District to reverse and vacate the long-term suspension of A ■ S ■; order Defendants to expunge any and all education records of A ■ S ■ that reflect the events described in the Petition; and award Plaintiff his reasonable attorney fees, costs, and such additional relief that the Court deems just and proper.

Count II – Action under § 1983 of Title 42 of the U.S. Code
Violation of the First Amendment

47. Plaintiff incorporates the averments made above as if they were fully set forth herein.

48. Defendants Lillard and the District acted under color of state law when they suspended A ■ from TBHS for creating a meme off-campus, on a weekend, that was not threatening and had no, or *de minimis*, disruptive effect at TBHS.

49. The conduct to which Defendants subjected S.W. deprived him of the right under the First Amendment to the United States Constitution to the freedom of speech.

50. As a direct and proximate result of Defendants' conduct, Plaintiff suffered damages as described above.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor on Count II; award Plaintiff such sum in excess of \$25,000 as will fairly and justly compensate Plaintiff for all damages that Plaintiff has sustained and is reasonably certain to sustain in the future as a direct result of Defendants' conduct; order Defendants to expunge any and all education records of A ■■■ that reflect the events described in the Petition; and award Plaintiff his reasonable attorney fees, legal costs, and such additional relief that the Court deems just and proper.

Count III –Action under § 1983 of Title 42 of the U.S. Code
Violation of the Fourteenth Amendment

51. Plaintiff incorporates the averments made above as if they were fully set forth herein.

52. Defendants Lillard and the District acted under color of state law when they conducted a hearing which was really a *fait accompli* and which was marked by, among other things:

- a. untrue and incredible testimony, lacking corroboration, which the board members nonetheless deemed "credible";
- b. testimony about other material evidence which either did not exist or was not produced;
- c. inflammatory and irrelevant exhibits; and
- d. mere ratification of a decision that was made prior to the hearing, in violation of A ■■■ S ■■■'s procedural and substantive rights.

53. The conduct to which Defendants subjected A ■■■ deprived him of the following constitutional rights:

- a. A ■■■'s property interest in public education;
- b. A ■■■'s property and liberty interests in his reputation;

- c. A [REDACTED]'s liberty interest in being free of arbitrary and capricious punishment;
- d. A [REDACTED]'s procedural right to Due Process.

54. As a direct and proximate result of Defendants' conduct, Plaintiff suffered damages as described above.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor on Count III; award Plaintiff such sum in excess of \$25,000 as will fairly and justly compensate Plaintiff for all damages that Plaintiff has sustained and is reasonably certain to sustain in the future as a direct result of Defendants' conduct; order Defendants to expunge any and all education records of A [REDACTED] that reflect the events described in the Petition; and award Plaintiff his reasonable attorney fees, legal costs, and such additional relief that the Court deems just and proper.

RESPECTFULLY SUBMITTED

/s/ Daniel J. Rhoads
Daniel J. Rhoads, 59590 MO
THE RHOADS FIRM, LLC
3703 Watson Rd.
St. Louis, MO 63109
Phone: (314) 225-8848
Fax: (314) 754-9103
therhoadsfirmllc@gmail.com

Attorney for Plaintiff
A [REDACTED] S [REDACTED], a minor, by and through
Next Friend, Chris Schaefer

18L6-CC00153

From: Brittany Hosmer <HOSMERB@troy.k12.mo.us>
Sent: Thursday, November 1, 2018 2:52 PM
To: Joy Lillard
Subject: Fwd: CS and LP

>>> Brittany Hosmer 10/8/2018 11:20 AM >>>

Hello!

I wanted to give you an update about two kids currently in my 4th hour- L [REDACTED] P [REDACTED] and G [REDACTED] S [REDACTED] C [REDACTED] walked into my class and put L [REDACTED] into a choke hold- we have things under control, I thought he was joking but looked pretty upset. L [REDACTED] has been making comments saying that C [REDACTED] died apparently. I have not written them up, but you may want to have a conversation with them both.

I have talked with C [REDACTED]

Thanks,

Brittany Hosmer



IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSOURI
CIRCUIT JUDGE DIVISION

A [REDACTED] S [REDACTED], a minor,
by and through next Friend,
CHRIS SCHAEFER,

Plaintiff,

VS.

LINCOLN COUNTY R-III
SCHOOL DISTRICT,

JOY LILLARD,
In Her Individual Capacity,

Defendants.

Case No. _____

Division No. _____

PETITION FOR APPOINTMENT OF NEXT FRIEND

COMES NOW Chris Schaefer (Mr. Schaefer), by counsel, Daniel J. Rhoads of **THE RHOADS FIRM, LLC**, and requests appointment as Next Friend in the above-styled case. Petitioner is the father of the minor Plaintiff, A■■■ S■■■■■.

WHEREFORE, Mr. Schaefer humbly prays that this Court appoint him as A [REDACTED] S [REDACTED]'s
Next Friend in connection with the Petition against Defendants.

RESPECTFULLY SUBMITTED

/s/ Daniel J. Rhoads
Daniel J. Rhoads, 59590 MO
THE RHOADS FIRM, LLC
3703 Watson Rd.
St. Louis, MO 63109
Phone: (314) 225-8848
Fax: (314) 754-9103
therhoadsfirmllc@gmail.com

Attorney for Plaintiff

A S

18L6-CC00153

Electronically Filed - LINCOLN COUNTY - December 10, 2018 - 12:18 PM

IN THE 45TH JUDICIAL CIRCUIT
LINCOLN COUNTY
STATE OF MISSOURI

A ■■■ S ■■■■, a minor,
by and through next Friend,
CHRIS SCHAEFER,

Plaintiff,

vs.

LINCOLN COUNTY R-III
SCHOOL DISTRICT,

JOY LILLARD,
In Her Individual Capacity,

Defendants.


Case No. _____


Division No. _____

PETITION AND CONSENT FOR APPOINTMENT OF NEXT FRIEND

COMES NOW Chris Schaefer (Mr. Schaefer), by counsel, Daniel J. Rhoads of **THE RHOADS FIRM, LLC**, and requests appointment as Next Friend in the above-styled case. Petitioner is the father of the minor Plaintiff, A ■■■ S ■■■■, who is 16 years old. A ■■■ S ■■■■'s signed consent appears below.

WHEREFORE, Mr. Schaefer humbly prays that this Court appoint him as A ■■■ S ■■■■'s Next Friend in connection with the Petition against Defendants.


Chris Schaefer
■■■■
■■■■


■■■■
■■■■

RESPECTFULLY SUBMITTED

/s/ Daniel J. Rhoads

Daniel J. Rhoads, 59590 MO

THE RHOADS FIRM, LLC

3703 Watson Rd.

St. Louis, MO 63109

Phone: (314) 225-8848

Fax: (314) 754-9103

therhoadsfirmlc@gmail.com

Attorney for Plaintiff


*A ■■■ S ■■■; a minor, by and through
Next Friend, Chris Schaefer*



IN THE 45TH JUDICIAL CIRCUIT, LINCOLN COUNTY, MISSOURI

Judge or Division: CHRIS KUNZA MENNEMEYER	Case Number: 18L6-CC00153
Plaintiff/Petitioner: A [REDACTED] S [REDACTED] B/N/F CHRIS SCHAEFER	Plaintiff's/Petitioner's Attorney/Address DANIEL J RHOADS 3703 WATSON ROAD ST LOUIS, MO 63109
Defendant/Respondent: LINCOLN COUNTY R-III SCHOOL DISTRICT, ETAL	Court Address: 45 BUSINESS PARK DR. TROY, MO 63379
Nature of Suit: CC Chptr 536 State Agcy Rvw	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: LINCOLN COUNTY R-III SCHOOL DISTRICT Alias: 951 WEST COLLEGE TROY, MO 63379 COURT SEAL OF  LINCOLN COUNTY	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition. 12/10/2018 Date Clerk
--	---

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ 10.00
Supplemental Surcharge	\$ _____
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 45TH JUDICIAL CIRCUIT, LINCOLN COUNTY, MISSOURI

Judge or Division: CHRIS KUNZA MENNEMEYER	Case Number: 18L6-CC00153
Plaintiff/Petitioner: A ■■■ S ■■■■■ B/N/F CHRIS SCHAEFER vs.	Plaintiff's/Petitioner's Attorney/Address DANIEL JAMES RHOADS THE RHOADS FIRM LLC 3703 WATSON ROAD ST LOUIS, MO 63109
Defendant/Respondent: LINCOLN COUNTY R-III SCHOOL DISTRICT, ETAL	Court Address: 45 BUSINESS PARK DR. TROY, MO 63379
Nature of Suit: CC Chptr 536 State Agcy Rvw	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: JOY LILLARD Alias: 951 W. COLLEGE ST. TROY, MO 63379 COURT SEAL OF LINCOLN COUNTY	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition. 12/10/2018 Date _____ Clerk _____ Further Information:
---	--

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server _____

Signature of Sheriff or Server _____

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

18L6-CC00153

Electronically Filed - LINCOLN COUNTY - December 10, 2018 - 12:18 PM

IN THE 45TH JUDICIAL CIRCUIT
LINCOLN COUNTY
STATE OF MISSOURI

A ■■■ S ■■■, a minor,
by and through next Friend,
CHRIS SCHAEFER,

Plaintiff,

vs.

LINCOLN COUNTY R-III
SCHOOL DISTRICT,

JOY LILLARD,
In Her Individual Capacity,

Defendants.

Case No. _____

Division No. _____


ORDER GRANTING

PETITION AND CONSENT FOR APPOINTMENT OF NEXT FRIEND

COMES NOW Chris Schaefer (Mr. Schaefer), by counsel, Daniel J. Rhoads of **THE RHOADS FIRM, LLC**, and requests appointment as Next Friend in the above-styled case. Petitioner is the father of the minor Plaintiff, A ■■■ S ■■■, who is 16 years old. A ■■■ S ■■■'s signed consent appears below.

WHEREFORE, Mr. Schaefer humbly prays that this Court appoint him as A ■■■ S ■■■'s Next Friend in connection with the Petition against Defendants.


Chris Schaefer


SO ORDERED ON
DECEMBER 13, 2018:



IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSOURI
CIRCUIT JUDGE DIVISION

A [REDACTED] S [REDACTED], a minor,
by and through next Friend,
CHRIS SCHAEFER,

Plaintiff,

VS.

LINCOLN COUNTY R-III
SCHOOL DISTRICT,

JOY LILLARD,
In Her Individual Capacity,

Defendants.

Case No. 18L6-CC00153

Division No.

FILING MEMORANDUM

COMES NOW Plaintiff, by and through counsel, and now files the record before the agency, consisting of the complete transcript of the proceedings and the evidence before the agency.

RESPECTFULLY SUBMITTED

/s/ Daniel J. Rhoads
Daniel J. Rhoads, 59590 MO
THE RHOADS FIRM, LLC
3703 Watson Rd.
St. Louis, MO 63109
Phone: (314) 225-8848
Fax: (314) 754-9103
therhoadsfirmllc@gmail.com

Attorney for Plaintiff
A [REDACTED] S [REDACTED], by and through
Next Friend, Chris Schaefer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Filing Memorandum, along with its attachments, was e-filed on January 3, 2019, effecting service to:

Natalie A. Hoernschemeyer
Mickes O'Toole, LLC
12444 Powerscourt Drive, Suite 400
St. Louis, Missouri 63131
natalie@mickesotoole.com
Attorneys for Defendants

/s/ Daniel J. Rhoads

STUDENT HEARING 11/6/2018

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19		19	AND TAMMY SCHAEFER
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12	STUDENT A S WITNESSES:	12	BY: NATALIE A. HOERNSCHEMEYER, ATTORNEY
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1 (Pages 1 to 4)

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STUDENT HEARING 11/6/2018

<p style="text-align: right;">Page 5</p> <p>1 PROCEEDING</p> <p>2 PRESIDENT MILLS: Good</p> <p>3 afternoon, all. I call the meeting to order. The</p> <p>4 hearing in the case of A S is convened</p> <p>5 pursuant to Board of Education policy and pursuant to</p> <p>6 Section 167.161 of the Missouri Revised Statutes.</p> <p>7 Section 167.161 provides as follows:</p> <p>8 The school board of any district</p> <p>9 after notice to parents and guardians,</p> <p>10 in a hearing upon charges preferred,</p> <p>11 may suspend or expel a pupil for</p> <p>12 conduct which is prejudicial to good</p> <p>13 order and discipline in the schools</p> <p>14 or which tends to impair the moral</p> <p>15 and good conduct of the pupils.</p> <p>16 At the hearing, the Board shall</p> <p>17 consider the evidence and statements</p> <p>18 that the parties present, and may</p> <p>19 provide by general rule not</p> <p>20 inconsistent with this Section or</p> <p>21 the procedure or the conduct thereof.</p> <p>22 These proceedings are being recorded. A</p> <p>23 transcript will be made available upon request and at</p> <p>24 cost.</p> <p>25 During the course of the hearing, both</p>	<p style="text-align: right;">Page 7</p> <p>1 DR. JOY LILLARD,</p> <p>2 of lawful age, produced, sworn, and examined on</p> <p>3 behalf of the Administration, testifies as follows:</p> <p>4 DIRECT EXAMINATION</p> <p>5 QUESTIONS BY MS. HOERNSCHEMEYER:</p> <p>6 Q Good morning. Afternoon, I guess. So my</p> <p>7 name is Natalie Hoernschemeyer. I'm the attorney for</p> <p>8 the Administration and for the District, and I would</p> <p>9 like for you just to start. I know the Board knows</p> <p>10 who you are, but for the record, if you wouldn't mind</p> <p>11 stating your full name.</p> <p>12 A Joy Ann Lillard, Assistant Principal at</p> <p>13 Troy Buchanan High School.</p> <p>14 Q And how long have you held that position?</p> <p>15 A Twelve years.</p> <p>16 Q And did you hold any other position at</p> <p>17 the District prior to that?</p> <p>18 A I was a dean for one year, but same</p> <p>19 position.</p> <p>20 Q Any other administrative experience,</p> <p>21 either in this district or any other district in</p> <p>22 Missouri?</p> <p>23 A No.</p> <p>24 Q Can you give a little bit of your</p> <p>25 educational background.</p>
<p style="text-align: right;">Page 6</p> <p>1 parties will be permitted to call witnesses, to</p> <p>2 cross-examine witnesses called by the other party and</p> <p>3 to submit exhibits.</p> <p>4 At the conclusion, counsel for both</p> <p>5 parties will be permitted, at their option, to make a</p> <p>6 closing oral argument.</p> <p>7 Will counsel and administration for A</p> <p>8 S enter their appearance for the record,</p> <p>9 please.</p> <p>10 MR. RHOADS: Yes. I'm Dan</p> <p>11 Rhoads. I'm the attorney for A S.</p> <p>12 MS. HOERNSCHEMEYER: Natalie</p> <p>13 Hoernschemeyer for the Administration.</p> <p>14 PRESENT MILLS: Okay. Any</p> <p>15 preliminary matters before we begin?</p> <p>16 MR. RHOADS: Not from -- not</p> <p>17 from us.</p> <p>18 PRESIDENT MILLS: Ms.</p> <p>19 Hoernschemeyer, are you ready to proceed?</p> <p>20 MS. HOERNSCHEMEYER: I am.</p> <p>21 I'd like to call my first witness Dr. Joy</p> <p>22 Lillard.</p> <p>23 (Thereupon, the witness was</p> <p>24 sworn.)</p> <p>25 *****</p>	<p style="text-align: right;">Page 8</p> <p>1 A Yes.</p> <p>2 Q Any certificates or --</p> <p>3 A I have an undergrad in biology and</p> <p>4 chemistry, a Master's in Education and a Master's in</p> <p>5 Administration, a Doctorate in Leadership.</p> <p>6 Q And as part of your duties as assistant</p> <p>7 principal for the -- I'll say the Troy School District</p> <p>8 or the Lincoln R-III, whom I understand are in the</p> <p>9 same school district, right?</p> <p>10 A Correct.</p> <p>11 Q And what are you some of your duties as</p> <p>12 assistant principal of the high school?</p> <p>13 A Supervise the safety of students, monitor</p> <p>14 curriculum, just go into classes checking on the</p> <p>15 student learning, the safety of all students and</p> <p>16 faculty involved.</p> <p>17 Q Is part of your role as assistant</p> <p>18 principal also to investigate any potential</p> <p>19 disciplinary matters and then implement discipline for</p> <p>20 students?</p> <p>21 A Yes.</p> <p>22 Q Now, is there more than one assistant</p> <p>23 principal for the high school?</p> <p>24 A Yes.</p> <p>25 Q Do you split your duties among different</p>

2 (Pages 5 to 8)

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<p style="text-align: right;">Page 9</p> <p>1 grades?</p> <p>2 A Yes. I'm the 11th grade principal --</p> <p>3 Q Assistant --</p> <p>4 A Assistant principal Class of 2020.</p> <p>5 Q Are you familiar with the student name</p> <p>6 A S [REDACTED] ?</p> <p>7 A Yes.</p> <p>8 Q And he does not have an IED, correct?</p> <p>9 A Correct.</p> <p>10 Q Or a 504 Plan?</p> <p>11 A Correct.</p> <p>12 Q He's a not a student with IED?</p> <p>13 A Correct.</p> <p>14 Q And so, Dr. Schaefer -- or Schaefer -- I</p> <p>15 just elevated.</p> <p>16 Doctor, would you tell the Board what's</p> <p>17 your understanding of cyber bullying is.</p> <p>18 A Cyber bullying is when a person uses an</p> <p>19 electronic device. It could be a phone or a tablet,</p> <p>20 and harasses or keeps jabbing at another person over</p> <p>21 and over, and it could be just one time, but you can</p> <p>22 visually see it and bring it up all day long 24/7.</p> <p>23 It's not something that just goes away. It's not</p> <p>24 something where you just say a name to someone's face.</p> <p>25 It's once you put it out there in the</p>	<p style="text-align: right;">Page 11</p> <p>1 Q Is cyber bullying becoming more prolific</p> <p>2 in your experience as an educator?</p> <p>3 A Yes. I would say that it has increased</p> <p>4 as technology and like devices are in students' hands.</p> <p>5 So as the students get their Smart phones, it's more</p> <p>6 of a ongoing battle that students are fighting.</p> <p>7 Q So I'd like to direct your attention to a</p> <p>8 disciplinary incident that occurred in the beginning</p> <p>9 part of October of 2018, starting at the end of that</p> <p>10 first week regarding ultimately why we're here today</p> <p>11 regarding A S [REDACTED].</p> <p>12 Can you tell me the first time you</p> <p>13 learned about a potential cyber bullying incident?</p> <p>14 A Yes. It was brought to my attention that</p> <p>15 there was a disruption in the classroom. Class was</p> <p>16 stopped, and one of our students, CS, had put another</p> <p>17 student in a chokehold, and the teacher had to stop</p> <p>18 class. And they, the students, had to be sent to the</p> <p>19 office.</p> <p>20 When the student came to my office, he</p> <p>21 was distressed.</p> <p>22 Q Which student?</p> <p>23 A CS.</p> <p>24 Q The student that --</p> <p>25 A That had chokehold another student. He</p>
<p style="text-align: right;">Page 10</p> <p>1 cyber system, social media, it's out there forever,</p> <p>2 and it's a constant repetitive I can look at it and</p> <p>3 see this.</p> <p>4 Q How is it different -- I think you kind</p> <p>5 of explained it too in that answer. How is it</p> <p>6 different than what I would say like traditional</p> <p>7 bullying, just face-to-face in the school yard?</p> <p>8 A I would a face-to-face is maybe a one</p> <p>9 time or a -- you know, it only happens when you're</p> <p>10 physically in front of a person. So you're bodily --</p> <p>11 your body in front of you either verbally or</p> <p>12 physically say something.</p> <p>13 Whereas, cyber, again, it's a constant</p> <p>14 ongoing, it never goes away. You can go home, and you</p> <p>15 can read this again and again and again and look at it</p> <p>16 and internalize it. It could cause you to have</p> <p>17 anxiety, depression, self-harm.</p> <p>18 It's more of a -- I guess, an internal</p> <p>19 battle that you could possibly have with yourself.</p> <p>20 Q It's hard to retrieve an electronic post,</p> <p>21 correct?</p> <p>22 A Correct.</p> <p>23 Q Once it's out on the internet, it's</p> <p>24 almost impossible to retrieve it?</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 12</p> <p>1 came in. He was, you know, his body was totally</p> <p>2 different. I never would have thought that this</p> <p>3 student would have been in my office. And he was just</p> <p>4 like, I just can't take it anymore. I snapped. These</p> <p>5 people -- this group of people, A S [REDACTED] and his</p> <p>6 friends, have been bullying me for a year and a half.</p> <p>7 They have made memes of me, and --</p> <p>8 Q What's a meme?</p> <p>9 A A meme is like a play on words with</p> <p>10 pictures depicting a scene could be. In this</p> <p>11 particular case, the reason why this person decided</p> <p>12 to, you know, put a chokehold on this person is</p> <p>13 because --</p> <p>14 Q The reason why CS, --</p> <p>15 A CS.</p> <p>16 Q -- the student --</p> <p>17 A Yes.</p> <p>18 Q -- put a chokehold on another student?</p> <p>19 A Was because this meme was created of him,</p> <p>20 CS, in a coffin with his picture in a coffin, and it</p> <p>21 said, "Kemper," you know, "send only good vibes," an</p> <p>22 imogee sticker and an imogee hand prayers. And to</p> <p>23 come only with good vibes.</p> <p>24 And CS said that this -- he said:</p> <p>25 "I just cannot take it</p>

3 (Pages 9 to 12)

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<p style="text-align: right;">Page 13</p> <p>1 anymore. I'm tired of people</p> <p>2 bullying me and making fun of</p> <p>3 me and then this is just too</p> <p>4 far. I have had people come</p> <p>5 up to me and say, 'Are you okay?'</p> <p>6 I've had people come up to me</p> <p>7 and say, 'Oh, you must not be</p> <p>8 here. You must be a ghost.'"</p> <p>9 And that's how it all kind of started in</p> <p>10 that classroom.</p> <p>11 And so as this investigation started, I</p> <p>12 was trying to figure out well, who created this meme.</p> <p>13 And through investigating, I found out that A [REDACTED]</p> <p>14 S [REDACTED] had put the picture of CS in the coffin and</p> <p>15 wrote, "Send only good vibes," and the imogee sad face</p> <p>16 and imogee prayers.</p> <p>17 Q So let me -- so let me direct your</p> <p>18 attention. If you wouldn't mind grabbing that binder</p> <p>19 next to you.</p> <p>20 If you would flip to Exhibit 3.</p> <p>21 A (Reviewing document.)</p> <p>22 Q Exhibit 3 is a multi-page document,</p> <p>23 correct?</p> <p>24 A Yes.</p> <p>25 Q Okay. And the first two pages are a</p>	<p style="text-align: right;">Page 15</p> <p>1 Q Did you ask after he explained his -- his</p> <p>2 mental state, his being distraught, he can't take this</p> <p>3 anymore, you asked for a copy of the memes?</p> <p>4 A Yes, I said, send me whatever you have.</p> <p>5 I need to know what's going on.</p> <p>6 Q So you referred to -- one of the memes</p> <p>7 you've been referring to is one where I think it's the</p> <p>8 third meme in this multi-page document, Exhibit 3?</p> <p>9 A Yes.</p> <p>10 Q And that -- that same meme is reflected</p> <p>11 on page -- the third meme, the fourth meme, the fifth</p> <p>12 meme, the sixth, --</p> <p>13 A Yes.</p> <p>14 Q -- not seventh, not eighth, but then the</p> <p>15 ninth, right?</p> <p>16 A Yes.</p> <p>17 Q There is -- there is differences, though,</p> <p>18 in these memes, and the differences are? Can you see</p> <p>19 the top --</p> <p>20 A The differences are the different people</p> <p>21 who have posted those, the meme onto their Story in</p> <p>22 Snapchat.</p> <p>23 Q So what's -- let's back up a second.</p> <p>24 What's Snapchat and what's a Story?</p> <p>25 A Snapchat is like a social media, how kids</p>
<p style="text-align: right;">Page 14</p> <p>1 statement by A [REDACTED] S [REDACTED], correct?</p> <p>2 A Correct.</p> <p>3 Q And then after that, is a series of</p> <p>4 memes?</p> <p>5 A Correct.</p> <p>6 Q And how did you become -- or were you</p> <p>7 ever in possession of these memes?</p> <p>8 A Yes.</p> <p>9 Q And who -- who provided these memes to</p> <p>10 you?</p> <p>11 A CS sent them to me.</p> <p>12 Q Okay. So CS, the student that put</p> <p>13 another student --</p> <p>14 A Student in a chokehold.</p> <p>15 Q -- in a chokehold?</p> <p>16 A Sent this to me by e-mail.</p> <p>17 Q After he -- after he came to your office</p> <p>18 and -- and while you were investigating that</p> <p>19 disciplinary misconduct?</p> <p>20 A That's when -- that's when I became aware</p> <p>21 of any of these memes or even why this disruption of</p> <p>22 the school environment even happened, is it all traced</p> <p>23 back to these memes that were created.</p> <p>24 Q So CS sent you all these memes?</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 16</p> <p>1 can connect and talk with one another, and it's --</p> <p>2 Q Is it --</p> <p>3 A -- through pictures.</p> <p>4 Q Is it through their phone or --</p> <p>5 A It's through their phone.</p> <p>6 Q -- through a computer?</p> <p>7 A It can be through the computer, but</p> <p>8 typically kids use their phones, a Snapchat.</p> <p>9 Q Okay.</p> <p>10 A And you can have a private Snapchat, and</p> <p>11 you can have your Story. The difference is a private</p> <p>12 one is where you're just communicating maybe with one</p> <p>13 person or a group of people.</p> <p>14 When you put it on your Story, whoever</p> <p>15 you are connected to in Snapchat. So it can be</p> <p>16 whomever you're friends with -- let's say on Snapchat</p> <p>17 -- they can see your Story.</p> <p>18 Q So your friends, is there a limit to how</p> <p>19 many friends you can have on Snapchat?</p> <p>20 A No, you can have unlimited friends. And</p> <p>21 so --</p> <p>22 Q So once you put a meme or a picture on</p> <p>23 your Story, to the best of your knowledge, anyone that</p> <p>24 has access or who you're friends with can see that</p> <p>25 meme?</p>

4 (Pages 13 to 16)

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<p style="text-align: right;">Page 17</p> <p>1 A Yes.</p> <p>2 Q So it could be upwards to how many?</p> <p>3 A Hundreds, thousands. It could be however</p> <p>4 many friends you like or follow because it's all about</p> <p>5 keeping these streaks alive and people want to stay</p> <p>6 connected in that fashion.</p> <p>7 Q Now, I know we're trying to be as much as</p> <p>8 we can to be respectful of other student's names. But</p> <p>9 we've been talking about a CS, correct?</p> <p>10 A Correct.</p> <p>11 Q When you look at these memes, it says</p> <p>12 basically CS's funeral, right?</p> <p>13 A Yes.</p> <p>14 Q And then it shows a picture of a student.</p> <p>15 Do you recognize that picture of that student?</p> <p>16 A Yes.</p> <p>17 Q Who's that?</p> <p>18 A That's CS.</p> <p>19 Q Okay. And the picture is he's in a</p> <p>20 coffin?</p> <p>21 A Correct, and that is the picture that</p> <p>22 A S [REDACTED] admits to cutting out and placing in</p> <p>23 this coffin, and he also told me he put in, "Please</p> <p>24 show up with only good vibes," the sad face Imogee.</p> <p>25 There's a prayer, like a hands folding prayer at the</p>	<p style="text-align: right;">Page 19</p> <p>1 A At school in class. So for example, one</p> <p>2 student reported to me that they showed this meme to</p> <p>3 their second block class, and were just showing it and</p> <p>4 they were talking about it, about this particular</p> <p>5 meme.</p> <p>6 And then another student told our third</p> <p>7 block is our academic lab, which is the study hall,</p> <p>8 and this student was very concerned for CS because</p> <p>9 there was a meme out about his funeral. And so this</p> <p>10 student brought it to Mrs. Hosmer, who is that</p> <p>11 particular student's academic lab teacher. And very,</p> <p>12 very concerned about CS's well-being.</p> <p>13 Q Why?</p> <p>14 A Because this was bullying. The student</p> <p>15 thought that this was bullying, and that no one should</p> <p>16 put in a person as if they have died. They just</p> <p>17 thought it was very, very disturbing, upset them as a</p> <p>18 student, and they were concerned for their friend.</p> <p>19 They were concerned for themselves. They just feel</p> <p>20 like, you know, no one should be able to make</p> <p>21 something up that wasn't true, especially about</p> <p>22 someone dying.</p> <p>23 They were just really upset about it.</p> <p>24 Q So in the course of your investigation,</p> <p>25 after CS said this is -- this is -- I snapped and</p>
<p style="text-align: right;">Page 18</p> <p>1 bottom, kind of cut off.</p> <p>2 And he also suggested that people post</p> <p>3 that to their Story.</p> <p>4 Q Who's the he suggested that people --</p> <p>5 A A S [REDACTED] encouraged others to post</p> <p>6 this picture on their Story so that other people that</p> <p>7 are -- he's connected to. It could be, I don't know,</p> <p>8 however many friends he has the Snapchat group, but to</p> <p>9 post this to their Story.</p> <p>10 Q And this meaning the meme with the CS in</p> <p>11 the funeral and --</p> <p>12 A Yes.</p> <p>13 Q -- him -- the child in the coffin?</p> <p>14 A Yes. And so many students, probably over</p> <p>15 a hundred different students, had access to this</p> <p>16 particular meme. And it disrupted out school on</p> <p>17 Monday.</p> <p>18 Q Monday, October?</p> <p>19 A October 8th.</p> <p>20 Q Eighth.</p> <p>21 A There are students that had access to</p> <p>22 this meme and would show with their phones this</p> <p>23 picture of this meme curr -- that we see on this</p> <p>24 page.</p> <p>25 Q On school or not at school?</p>	<p style="text-align: right;">Page 20</p> <p>1 that's why I did the chokehold, this is the back</p> <p>2 story, you learned that -- I just want to make sure I</p> <p>3 understand this -- that student in one period, second</p> <p>4 period, showed the meme to the class?</p> <p>5 A Yes, and it was very disruptive. You</p> <p>6 know in that class, the teacher, you know, had to</p> <p>7 settle that class down. Then we had another class</p> <p>8 disrupted, which is our academic lab class where this</p> <p>9 teacher had to go and talk to the -- the student came</p> <p>10 to that teacher and concerned during that lab class.</p> <p>11 Q Was this a different student than the one</p> <p>12 that showed it around?</p> <p>13 A Yes, those are two different students,</p> <p>14 and then another student had come to me just the</p> <p>15 concern of this particular student's, CS's,</p> <p>16 well-being. You know, they were just concerned.</p> <p>17 Q Is this a third student?</p> <p>18 A Three total different people have come to</p> <p>19 an -- adults and just told them how they feel about</p> <p>20 this picture.</p> <p>21 Q Out of concern?</p> <p>22 A Out of concern. Number one, they were</p> <p>23 concerned that they thought that it was bullying.</p> <p>24 Number two, they were concerned about the</p> <p>25 well-being about this person because --</p>

5 (Pages 17 to 20)

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<p style="text-align: right;">Page 21</p> <p>1 Q The person being CS?</p> <p>2 A CS, because they would feel terrible if</p> <p>3 someone had posted this about them. So they kind of,</p> <p>4 you know, internalized that that was not something</p> <p>5 they would want done to them.</p> <p>6 Q Did anyone express -- during your</p> <p>7 investigation, did anyone express concern would commit</p> <p>8 self-harm?</p> <p>9 A Yes.</p> <p>10 Q Who?</p> <p>11 A The student that went to Mrs. Hosmer was</p> <p>12 very concerned. Then I had another student that came</p> <p>13 at the end of the day of the incident that happened</p> <p>14 during the fourth block when CS choked this other</p> <p>15 student, was very concerned that this has been going</p> <p>16 on and that they were in -- in support of CS because</p> <p>17 they were concerned that he would hurt himself.</p> <p>18 And so I had to have a conversation with</p> <p>19 CS, obviously, and call the parents. And I talked</p> <p>20 about just, you know, the loving of you and how you</p> <p>21 need to take care of yourself and if you need to see</p> <p>22 counsel, you know, if you need to see like a</p> <p>23 counselor. We have a counseling on-site or we can</p> <p>24 take -- you know, send you to a different counseling</p> <p>25 if you needed that based off of him seeing this and --</p>	<p style="text-align: right;">Page 23</p> <p>1 he was a ghost.</p> <p>2 Q Did anyone from -- people would come up</p> <p>3 to him, there was a fight, people were showing it in</p> <p>4 class, people were coming up to the teachers.</p> <p>5 Is anyone calling CS on his phone?</p> <p>6 A Yes. So when this meme was posted to</p> <p>7 this Snapchat live side of the Story, there also --</p> <p>8 A S [REDACTED] encouraged other people to call CS on</p> <p>9 the phone. And he had at least 20 calls from people,</p> <p>10 one being A S [REDACTED] and some other friends, and</p> <p>11 some people didn't even know. And they would call and</p> <p>12 ask you want a bite to eat or -- and that was some --</p> <p>13 another meme they had talked about and made fun of him</p> <p>14 about because of his weight.</p> <p>15 And they also said something about there</p> <p>16 rest in peace, RIP.</p> <p>17 Q So they'd call and tease him?</p> <p>18 A Uh-huh.</p> <p>19 Q And hang up on him?</p> <p>20 A Uh-huh.</p> <p>21 Q And this was during the school day?</p> <p>22 A That was not during the school day. That</p> <p>23 was a night.</p> <p>24 Q After school?</p> <p>25 A After school.</p>
<p style="text-align: right;">Page 22</p> <p>1 Q When -- when you met with CS, when he</p> <p>2 came to you and you were having your own disciplinary</p> <p>3 conversation with him, how did his appearance -- when</p> <p>4 he was telling you this story and the effects of this</p> <p>5 meme, how did he -- his appearance -- how did you take</p> <p>6 his appearance or how --</p> <p>7 A Well, he was very distraught. He was</p> <p>8 very upset. He kept -- he just said, "I'm sorry. I</p> <p>9 snapped. I just couldn't take it anymore."</p> <p>10 He was just -- he couldn't believe that a</p> <p>11 group of people that he had in the past considered</p> <p>12 friends would do this, and that it was just something</p> <p>13 that hurt him. I mean, it really, really hurt him.</p> <p>14 He was just -- he was really sad about</p> <p>15 it. You know, it wasn't like -- I don't know anyone</p> <p>16 that would want someone to make a meme of them being</p> <p>17 in a coffin. And so he was just distraught, beside</p> <p>18 himself. He -- he, you know, owned up to his actions,</p> <p>19 and he was apologetic for that. But he just really</p> <p>20 cannot take this anymore, and he was tired of people</p> <p>21 saying, you know, you must be a ghost because of --</p> <p>22 so multiple people during the day would say to him,</p> <p>23 you must be a ghost because I saw your funeral page.</p> <p>24 And he just said, you know, just constantly seeing</p> <p>25 this picture and having people ask him, you know, if</p>	<p style="text-align: right;">Page 24</p> <p>1 Q Okay. So you're still doing your</p> <p>2 investigation?</p> <p>3 A Uh-huh.</p> <p>4 Q Did you get --</p> <p>5 A I called Mom of CS, and you know, just</p> <p>6 talked about the whole situation and his part, that I</p> <p>7 would continue investigating this situation.</p> <p>8 She did call back and she said that this</p> <p>9 has just -- because I talked to her about, you know,</p> <p>10 he has -- we have counseling here at school, we have</p> <p>11 counseling in our community if you'd like that.</p> <p>12 And she called back and just said, you</p> <p>13 know, this has just exasperated this cause. He's</p> <p>14 already been going through depression as it is. We're</p> <p>15 already seeking help. This just took it to a whole</p> <p>16 nother level for him, and that he'd been, you know,</p> <p>17 upset at home, and then everybody coming at him at</p> <p>18 school has caused just more distress than he could</p> <p>19 handle.</p> <p>20 Q Did you interview students regarding this</p> <p>21 during your investigation?</p> <p>22 A I did.</p> <p>23 Q And was one of those students A S [REDACTED]?</p> <p>24 S [REDACTED]?</p> <p>25 A Yes.</p>

6 (Pages 21 to 24)

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1 Q Okay. And that's still -- we're still
2 looking at Exhibit 3 but the first two pages?
3 A Yeah, so --
4 Q Do you recognize these pages?
5 A I do.
6 Q And what are they?
7 A So Al- --
8 Q Do you know what these two pages are?
9 A Yes, these are our student incident
10 reports. So when we are investigating anything --
11 Q I'm sorry is this A S Student
12 Discipline Statement?
13 A Yes.
14 Q Okay.
15 A This is A S statement. So of
16 his in his words what he told myself what happened
17 with the pictures.
18 Q And did A S take any
19 responsibility for the meme?
20 A He did. He said that he posted the
21 picture and said RIP, which means rest in peace. He
22 also asked a lot of people to post it, and he
23 collaborated with another student and thought it would
24 be funny to make C act like he's dead. They
25 created some more pictures about pre-workout and they

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1 like to choose that program.
2 Q So why was A S at the AEP
3 program at this time?
4 A A S was at the AEP program
5 because he had posted a picture of another student's
6 naked bottom to a remind app to a teacher.
7 Q So A was currently serving suspension
8 when -- for that incident, the sending the naked
9 buttocks of a --
10 A Yes.
11 Q -- of a male to a female teacher?
12 A Correct.
13 Q He was -- he was serving suspension,
14 out-of-school suspension, but getting supports and
15 credits through the AEP program?
16 A Correct.
17 Q And while -- during that timeframe is
18 when he said he created this -- these memes?
19 A Correct.
20 Q Electronic images regarding a peer?
21 A Yes.
22 Q So you met with A. You gave him an
23 opportunity to write out a statement, which we see in
24 Exhibit 3, correct?
25 A Correct.

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1 posted that with CS being on a weight bench and that
2 RIP, rest in peace.
3 He admits to, you know, cutting and
4 pasting it, putting the picture on the coffin.
5 Q Cutting and pasting what?
6 A A picture of CS.
7 Q Uh-huh.
8 A And putting it into the coffin. He
9 admits to -- he says posting a picture of the funeral
10 home, and he did say that he did edit that post, which
11 is again, he said he cut the picture of CS. He added
12 the "Come see C. Positive vibes" and then the
13 Imogee stickers.
14 And I interviewed A S when he
15 was at our educational -- or Academic Educational,
16 AEP, program.
17 Q What is the AEP program?
18 A It is a place where you -- if you were on
19 suspension, you have the opportunity to, instead of
20 being at out-of-school suspension, you would go to our
21 program at the New Horizons. It's located at our New
22 Horizons building, but it's where you go to a half-day
23 of programming, and you get your schooling. You get
24 access to a computer, a teacher, and you can do your
25 school work while you are on suspension if you would

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1 Q And did you -- I see this, but can you
2 state for the record if you gave him an opportunity to
3 respond to any of the allegations that were being
4 asserted against him?
5 A Yes.
6 Q And is it -- does he have any more
7 response besides what he put in the -- the statement
8 that we have --
9 A The one thing he did say is that --
10 that's not written down, is the phone calls that were
11 also made. After the meme was created, there were
12 phone calls being made to the CS phone.
13 Q Did he say he made a call?
14 A Yes. And encouraged others to call.
15 So...
16 Q To your knowledge, did this -- these
17 meetings, did they go viral within your student body?
18 A Yes. So during -- on that Monday, many
19 classes, like I stated before, had been disrupted
20 based off of these memes. So any student that was
21 connected to A S would have access to this
22 meme.
23 And so it could be a hundred, it could be
24 plus a hundred people that would have access to this.
25 MS. HOERNSCHEMEYER: I move for

7 (Pages 25 to 28)

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<p>1 the acceptance of Exhibit 3 into the</p> <p>2 record.</p> <p>3 PRESIDENT MILLS: Admitted.</p> <p>4 (Thereupon, evidence marked</p> <p>5 for identification was admitted</p> <p>6 into the record as Exhibit 3.)</p> <p>7 Q (By Ms. Hoernschemeyer) Are you</p> <p>8 familiar with the handbook for Buchanan High School?</p> <p>9 A Yes.</p> <p>10 Q I'd like you to turn to tab 5 of Exhibit</p> <p>11 5.</p> <p>12 A Okay.</p> <p>13 Q Do you recognize this document?</p> <p>14 A Yes.</p> <p>15 Q And what is it?</p> <p>16 A Troy Buchanan High School 2018-19 Student</p> <p>17 Handbook.</p> <p>18 Q And it says Board approved July 17, 2018?</p> <p>19 A Correct.</p> <p>20 Q So this handbook is approved by your</p> <p>21 Board of Education?</p> <p>22 A Correct.</p> <p>23 Q And this handbook, how would you describe</p> <p>24 it? It sets up the rules and --</p> <p>25 A The student handbook is a guideline for</p>	<p>1 bit through this handbook with you if you don't mind.</p> <p>2 A Okay.</p> <p>3 Q Page 12 of the handbook says Academic</p> <p>4 Educational Placement, AEP. It sets out pretty</p> <p>5 similar to what you testified to what the AEP program</p> <p>6 is. Would you mind reading that paragraph into the</p> <p>7 record.</p> <p>8 A (Reading from document)</p> <p>9 "Academic Educational</p> <p>10 Placement, AEP, a program</p> <p>11 designed to assist high</p> <p>12 school students who have been</p> <p>13 suspended out of school.</p> <p>14 Students who are placed in the</p> <p>15 AEP program will receive daily</p> <p>16 instruction on coursework</p> <p>17 as well as lessons on positive</p> <p>18 behavior supports, PBS, and/or</p> <p>19 character education. Our goal</p> <p>20 is to keep students current</p> <p>21 on their coursework while</p> <p>22 helping students acquire the</p> <p>23 pro-social skills to be</p> <p>24 successful in their home school."</p> <p>25 Q Thank you.</p>
Page 30	Page 32
<p>1 students in our school. It shows them, you know, if</p> <p>2 they would like to make good choices and what would</p> <p>3 happen if they maybe they did not make a good choice,</p> <p>4 what come -- some of the consequences they could</p> <p>5 endure.</p> <p>6 Q It sets out the discipline and the</p> <p>7 potential consequences and the range of</p> <p>8 consequences --</p> <p>9 A Correct.</p> <p>10 Q -- among other things?</p> <p>11 A Correct.</p> <p>12 Q And is this handbook disseminated to your</p> <p>13 student population?</p> <p>14 A Yes.</p> <p>15 Q How so?</p> <p>16 A Electronically.</p> <p>17 Q And each student gets a copy every year?</p> <p>18 A Yes.</p> <p>19 Q Is it also on your District website?</p> <p>20 A Yes.</p> <p>21 Q So the families member can get it or</p> <p>22 teachers and community members can get it?</p> <p>23 A Correct. If you have access to our</p> <p>24 website, you have access to this student handbook.</p> <p>25 Q I'm going to just kind of work a little</p>	<p>1 Can you turn to page 15.</p> <p>2 A (Complying.)</p> <p>3 Q Do you see -- no, actually. If you don't</p> <p>4 mind, I'm sorry, would you turn to page 14.</p> <p>5 The very first heading is Student Code of</p> <p>6 Conduct.</p> <p>7 A Yes.</p> <p>8 Q And you understand that this handbook</p> <p>9 sets out the student code of conduct and why it's</p> <p>10 important for all students to abide by the code of</p> <p>11 conduct for the safe and orderly operation of the</p> <p>12 Lincoln County School District, correct?</p> <p>13 A Correct.</p> <p>14 Q And in this paragraph it says, the second</p> <p>15 to last sentence, says, "In addition, prior offenses</p> <p>16 and disciplinary action may be considered when</p> <p>17 determining disciplinary consequences."</p> <p>18 A Yes.</p> <p>19 Q And so you understand that, that if a</p> <p>20 student engages in a prior disciplinary action, that</p> <p>21 -- the history can be part of the decision-making</p> <p>22 process of further disciplinary consequences for</p> <p>23 another act of misconduct, correct?</p> <p>24 A Correct.</p> <p>25 Q Okay. Would you turn then -- then I</p>

8 (Pages 29 to 32)

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<p>1 think we have all sorts of -- after the heading of</p> <p>2 Student Code of Conduct, then we have different types</p> <p>3 of misconducts.</p> <p>4 A Correct.</p> <p>5 Q Right?</p> <p>6 A Yes.</p> <p>7 Q And so there's many that are listed,</p> <p>8 which is very normal for all school districts. Can</p> <p>9 all types of misconduct be incapsulated into a</p> <p>10 handbook?</p> <p>11 A Not everything.</p> <p>12 Q Correct. And so but we do have on page</p> <p>13 15, there's a heading that says Bullying.</p> <p>14 A Yes.</p> <p>15 Q Okay. And it defines what bullying is,</p> <p>16 correct?</p> <p>17 A Yes.</p> <p>18 Q For the Lincoln Count School District?</p> <p>19 A Yes.</p> <p>20 Q Would you read also what the potential</p> <p>21 consequences, even for a first act of bullying, could</p> <p>22 be.</p> <p>23 A So first and subsequent offenses?</p> <p>24 Q Yeah, so all -- first and all, the total</p> <p>25 for one act and for one act is the next paragraph.</p>	<p>1 Q Tell me if I'm reading this correct.</p> <p>2 "The District may</p> <p>3 prohibit and discipline</p> <p>4 for cyber bullying that</p> <p>5 originates on any District</p> <p>6 campus or at any District</p> <p>7 activity, if the electronic</p> <p>8 communication was made using</p> <p>9 school technological resources,</p> <p>10 if there's a sufficient nexus</p> <p>11 to the educational environment</p> <p>12 or if there is electronic</p> <p>13 communication was made on the</p> <p>14 District campus or at a District</p> <p>15 activity using the student's</p> <p>16 own personal technological</p> <p>17 resources.</p> <p>18 "Further, students who</p> <p>19 engage in significant acts of</p> <p>20 misconduct off-campus which</p> <p>21 materially and adversely impact</p> <p>22 the education of District</p> <p>23 students, will be subject to</p> <p>24 discipline."</p> <p>25 A Yes.</p>
Page 34	Page 36
<p>1 And what does that say.</p> <p>2 A Conference with teacher, administration,</p> <p>3 parent notification, detention, ISS, OSS, referral to</p> <p>4 superintendent, expulsion, notification to law</p> <p>5 enforcement.</p> <p>6 Q So even for a first offense of bullying,</p> <p>7 it can be out-of-school suspension?</p> <p>8 A Yes.</p> <p>9 Q Depending on what type of bullying, could</p> <p>10 be an expulsion?</p> <p>11 A Correct.</p> <p>12 Q So broad range of disciplinary</p> <p>13 consequences for bullying?</p> <p>14 A Yes.</p> <p>15 Q If you would turn to then page 27.</p> <p>16 A (Complying.)</p> <p>17 Q It sets out the bullying policy for the</p> <p>18 District, correct?</p> <p>19 A Yes.</p> <p>20 Q And the second paragraph specifically</p> <p>21 delineates cyber bullying, correct?</p> <p>22 A Yes.</p> <p>23 Q And this is your understanding of the</p> <p>24 definition of cyber bullying?</p> <p>25 A Yes.</p>	<p>1 Q So it's your understanding that acts of</p> <p>2 misconduct that even occur off-campus, originate</p> <p>3 off-campus, can be disciplined?</p> <p>4 A Yes.</p> <p>5 Q That meets this definition?</p> <p>6 A Correct.</p> <p>7 Q And to jump off that, if you turn to page</p> <p>8 41 of the handbook.</p> <p>9 A (Complying.)</p> <p>10 Q There's a section that says "Off-Campus</p> <p>11 Behavior."</p> <p>12 The second sentence:</p> <p>13 "In addition, the</p> <p>14 School District reserves</p> <p>15 the right to impose</p> <p>16 disciplinary consequences</p> <p>17 for any student's conduct</p> <p>18 whenever and wherever it may</p> <p>19 occur if such conduct is</p> <p>20 prejudicial to good order</p> <p>21 and discipline in the schools</p> <p>22 or tends to impair the moral</p> <p>23 and good conduct of the pupils."</p> <p>24 Did I do that correctly?</p> <p>25 A Yes.</p>

9 (Pages 33 to 36)

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<p style="text-align: right;">Page 37</p> <p>1 MS. HOERNSCHEMEYER: I move to 2 admit the Student Handbook, which is 3 Exhibit 5. 4 PRESIDENT MILLS: Admitted. 5 (Thereupon, evidence was marked 6 for identification and admitted into 7 the record as Exhibit 5.) 8 Q (By Ms. Hoernschemeyer) The District 9 also has a series of policies and regulations 10 regarding discipline and misconduct. Those would be 11 Exhibit 6, Exhibit 7, Exhibit 8, Exhibit 9. 12 Are you familiar with these Board of 13 Education policies -- 14 A Yes. 15 Q -- and regulations regarding discipline? 16 A Yes. 17 Q Specifically, Exhibit 6 is Policy 2662, 18 correct, -- 19 A Correct. 20 Q -- with the Regulation 2662? 21 Exhibit 7 is 2655? 22 A Yes. 23 Q Exhibit 8 is Policy 2610? 24 A Yes. 25 Q Exhibit 9 is Policy 2600?</p>	<p style="text-align: right;">Page 39</p> <p>1 Where are these policies located? 2 A We have all of our policies online so you 3 can access them on our website. So anyone who has 4 access to the website, the internet, can have access 5 to our policies. 6 Q And students have access to the internet 7 here at the District? 8 A Correct. 9 Q So at the conclusion of your 10 investigation, did you make a determination whether 11 A [REDACTED] violated your Student Handbook or -- and/or your 12 District policies? 13 A Yes. 14 Q And what was that conclusion? 15 A That he had violated out cyber bullying 16 policy, and received ten-day suspension in the 17 building level with a referral to the superintendent 18 of schools. 19 Q Let me refer you to Exhibit 2. It's a 20 four-page document. Do you see that? 21 A Yes. 22 Q The first page of that is -- what is that 23 first page of Exhibit 2? 24 A This is just the demographics of A [REDACTED] 25 S [REDACTED].</p>
<p style="text-align: right;">Page 38</p> <p>1 A Yes. 2 MS. HOERNSCHEMEYER: I move to 3 admit the District's Board of Education 4 Policies as Exhibit 6 through 9. 5 PRESIDENT MILLS: Admitted. 6 (Thereupon, evidence was marked 7 for identification and admitted into 8 the record as Exhibits 6, 7, 8, and 9 9.) 10 Q (By Ms. Hoernschemeyer) And it's your 11 understanding these policies also reflect kind of what 12 we went through in the handbook, -- 13 A Yes. 14 Q -- right? That bullying is prohibited, 15 correct? 16 A Correct. 17 Q Cyber bullying is prohibited? 18 A Correct. 19 Q the School District reserves the right to 20 discipline for even off-campus misconduct if it's 21 prejudicial to good order and discipline in the 22 District, correct? 23 A Correct. 24 Q So at the conclusion of your -- oh, let 25 me ask you a question.</p>	<p style="text-align: right;">Page 40</p> <p>1 Q Okay. Then let's turn to page 2 of 2 Exhibit 2. 3 A Okay. 4 Q Can you identify that document? 5 A Yes. This is the discipline that was 6 given to A [REDACTED] S [REDACTED] and the write-up that was sent 7 home to him. 8 Q Okay. And who -- who wrote this up? Who 9 wrote this little paragraph up? 10 A I did. 11 Q And this document is titled Profile Data 12 Report? 13 A Yes. 14 Q For A [REDACTED] S [REDACTED]? 15 A Yes. 16 Q And it's dated 10/11/18? 17 A Yes. 18 Q It has your name on it? 19 A Yes. 20 Q And it says, "Out-of-school suspension, 21 cyber bullying", correct? 22 A Correct. 23 Q Would you read what you wrote on this 24 date. 25 A (Reading from document)</p>

10 (Pages 37 to 40)

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<p>1 "A ■ S ■ admits to</p> <p>2 being in a Snapchat group</p> <p>3 text and voice stating 'C ■</p> <p>4 is dead'. He wrote about it</p> <p>5 and spoke about it while in</p> <p>6 the chat room with other students.</p> <p>7 He also admits to talking about</p> <p>8 creating memes about C ■</p> <p>9 being dead. A ■ did state</p> <p>10 he took it too far. He stated</p> <p>11 he made a meme with the student's</p> <p>12 picture and 'RIP'. He also</p> <p>13 cut and pasted the student's</p> <p>14 picture and put it in a coffin</p> <p>15 stating 'Send only good vibes'</p> <p>16 and edited a sad face Imogee</p> <p>17 hands in a prayer position.</p> <p>18 A ■ then told people to</p> <p>19 post these memes on their</p> <p>20 Stories and it went viral around</p> <p>21 the school. Ten days of</p> <p>22 out-of-school suspension to be</p> <p>23 served AEP. Referral to the</p> <p>24 superintendent of schools.</p> <p>25 Conference with student.</p>	<p>1 A CS --</p> <p>2 Q Uh-huh.</p> <p>3 A -- to see if he was okay. And --</p> <p>4 Q Because people thought he was dead?</p> <p>5 A People thought he was dead. And at one</p> <p>6 point, he had told me -- CS had told me that the</p> <p>7 football team had a moment of silence for him at the</p> <p>8 football game. Then at -- later on that night not</p> <p>9 only did he have these memes, people coming up to him,</p> <p>10 "Oh, I thought you were a ghost" at the homecoming</p> <p>11 dance. But then he also had phone calls being called</p> <p>12 and hang up, call and hang up.</p> <p>13 He answered a few of them, but then he</p> <p>14 stopped picking up the phone. He couldn't take it</p> <p>15 anymore.</p> <p>16 Q So you suspended A ■ for ten days?</p> <p>17 A Correct.</p> <p>18 Q Why ten days? Why not more than ten</p> <p>19 days?</p> <p>20 A I can only suspend at the building level</p> <p>21 ten days.</p> <p>22 Q So principals in Missouri, their ultimate</p> <p>23 authority is ten days, correct?</p> <p>24 A Correct.</p> <p>25 Q And then you can refer to the</p>
Page 42	Page 44
<p>1 "Joy Lillard".</p> <p>2 Q So the original group of students that</p> <p>3 were posting these memes about CS, and then it went to</p> <p>4 A ■ S ■ encouraged other people to take this</p> <p>5 meme and put it on their Story?</p> <p>6 A Correct.</p> <p>7 Q Did A ■ S ■ put it on his Story, do</p> <p>8 you know?</p> <p>9 A I'm not sure.</p> <p>10 Q Did -- how do you know that he encouraged</p> <p>11 other people to put it on their Story?</p> <p>12 A Because he told me in his statement.</p> <p>13 Q These memes were created, or at least</p> <p>14 disseminated or started to be disseminated before</p> <p>15 Monday?</p> <p>16 A Yes.</p> <p>17 Q Okay. And how -- and tell me how you</p> <p>18 learned about that situation.</p> <p>19 A So they were created, I believe, on</p> <p>20 Saturday, which was our Homecoming football game,</p> <p>21 parade/football game dance. And CS said that all of a</p> <p>22 sudden he had seen this -- he had not -- he had not</p> <p>23 seen the coffin yet, the picture of the meme, but</p> <p>24 people were reaching out to him checking --</p> <p>25 Q Checking to who, CS?</p>	<p>1 superintendent who has more authority to suspend?</p> <p>2 A Correct.</p> <p>3 Q And that is what you did here as</p> <p>4 reflected in Exhibit 2?</p> <p>5 A Correct.</p> <p>6 MS. HOERNSCHEMEYER: I move to</p> <p>7 admit Exhibit 2.</p> <p>8 PRESIDENT MILLS: It's</p> <p>9 admitted.</p> <p>10 (Thereupon, evidence was marked</p> <p>11 for identification and admitted</p> <p>12 into the record as Exhibit 2.)</p> <p>13 Q (By Ms. Hoernschemeyer) So A ■ is</p> <p>14 currently in AEP for a prior incident?</p> <p>15 A Yes.</p> <p>16 Q Right?</p> <p>17 A Yes.</p> <p>18 Q And your suspension for an additional ten</p> <p>19 days, he would continue to go to AEP, correct?</p> <p>20 A Correct.</p> <p>21 Q Can he have -- does he have a full</p> <p>22 opportunity to get credit and -- for the coursework</p> <p>23 that he completes in AEP?</p> <p>24 A Yes.</p> <p>25 Q Tell me a little bit about how he can</p>

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<p style="text-align: right;">Page 45</p> <p>1 stay on track educationally.</p> <p>2 A So when you go to AEP, your school work</p> <p>3 is sent to either interschool mail or paper copy, but</p> <p>4 most of our schooling is done through a campus which</p> <p>5 is an online site where teachers can post their --</p> <p>6 their notes, their daily agendas and projects or</p> <p>7 assignments. So you can put everything online if</p> <p>8 that's where the teacher has posted their assignments,</p> <p>9 or they will hand-delivery paper copies.</p> <p>10 Q So you can do online courses, and he also</p> <p>11 goes to school, physically goes to school --</p> <p>12 A Correct.</p> <p>13 Q -- certain hours of the day?</p> <p>14 A Yes.</p> <p>15 Q And he can get full credit?</p> <p>16 A Yes.</p> <p>17 Q And he stays on track to graduate as if</p> <p>18 he was not on out-of-school suspension?</p> <p>19 A Correct.</p> <p>20 MS. HOERNSCHEMEYER: I have no</p> <p>21 further questions. You may ask.</p> <p>22 MR. RHOADS: Okay.</p> <p>23 *****</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 47</p> <p>1 A No.</p> <p>2 Q And all -- so does the whole --</p> <p>3 everything that you described about learning about the</p> <p>4 Snapchat group and all that happened after CS came to</p> <p>5 you for putting LP in a chokehold, correct?</p> <p>6 A Correct.</p> <p>7 Q Okay. So let's -- I would like to draw</p> <p>8 your attention to Exhibit 1. It's one exhibit that</p> <p>9 you did not go over with the Administration's</p> <p>10 attorney, but Exhibit 1 is an e-mail that you received</p> <p>11 from Brittany Hosmer, correct?</p> <p>12 A Yes.</p> <p>13 Q And 10/8/18 is the date of that?</p> <p>14 A Yes.</p> <p>15 Q And I think you had testified that this</p> <p>16 was the teacher in whose class that -- that the</p> <p>17 confrontation between CS and LP took place, right?</p> <p>18 A Correct.</p> <p>19 Q All right. Now, the description from Ms.</p> <p>20 Hosmer is that CS walked into class and put LP into a</p> <p>21 chokehold, correct? Do you --</p> <p>22 A Yes, I see that.</p> <p>23 Q Okay. And then according to Ms. Hosmer,</p> <p>24 L has been making comments saying that CS died</p> <p>25 apparently, you see that?</p>
<p style="text-align: right;">Page 46</p> <p>1 CROSS-EXAMINATION</p> <p>2 QUESTIONS BY MR. RHOADS:</p> <p>3 Q Dr. Lillard, my name is Dan Rhoads, and</p> <p>4 I'm A ■ S ■'s attorney. I'm going to ask you</p> <p>5 some questions about the same things you've been</p> <p>6 speaking about. All right?</p> <p>7 A Okay.</p> <p>8 Q So you met with CS because he had choked</p> <p>9 another student in class, right?</p> <p>10 A Yes.</p> <p>11 Q That was why he came to you?</p> <p>12 A That's why this whole incident came</p> <p>13 about.</p> <p>14 Q All right. So when he came to you, it</p> <p>15 was in the context of he was facing discipline against</p> <p>16 himself, right?</p> <p>17 A Yes.</p> <p>18 Q Okay. And prior to that, prior to his</p> <p>19 coming to you in connection with this choking</p> <p>20 incident, no student had brought that meme to your</p> <p>21 attention, correct?</p> <p>22 A Not my attention, but to a teacher's</p> <p>23 attention, yes.</p> <p>24 Q And had a teacher brought that to your</p> <p>25 attention before you met with CS?</p>	<p style="text-align: right;">Page 48</p> <p>1 A Yes.</p> <p>2 Q Okay. So there's no reference to any</p> <p>3 Snapchat discussion in this e-mail; do you agree with</p> <p>4 that?</p> <p>5 A Yes.</p> <p>6 Q And you agree there's no reference to</p> <p>7 A ■ S ■ at all in this e-mail?</p> <p>8 A That's correct.</p> <p>9 Q And you agree that in this e-mail, Ms.</p> <p>10 Hosmer told you, "We have things under control"?</p> <p>11 A Yes.</p> <p>12 Q And she also indicates "I have not</p> <p>13 written them up," right?</p> <p>14 A Yes.</p> <p>15 Q Okay. Now, there -- I have not had</p> <p>16 produced to me any other e-mails from any other</p> <p>17 teachers about class disruption.</p> <p>18 Is this the only e-mail you received</p> <p>19 about disruption to class from a teacher?</p> <p>20 A Correct.</p> <p>21 Q Okay. Have you got any e-mails from any</p> <p>22 students about this issue at all?</p> <p>23 A Not e-mails, no.</p> <p>24 Q Okay. So Exhibit 1 is the only e-mail</p> <p>25 that you have received in connection with this</p>

12 (Pages 45 to 48)

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<p style="text-align: right;">Page 49</p> <p>1 incident that we're here on today, correct?</p> <p>2 A Correct.</p> <p>3 Q Are -- is -- are students allowed to look</p> <p>4 at Snapchat in class at Buchanan High School?</p> <p>5 A They should not be, but they do have</p> <p>6 passing period times that they are free to do that.</p> <p>7 Sometimes when teachers give them times in class, it's</p> <p>8 only -- it's directed by a teacher. Otherwise, there</p> <p>9 is usually a separate violation and correction.</p> <p>10 Q Okay. Now, on Exhibit 3 -- I'm going to</p> <p>11 try to go in order here. We have established this is</p> <p>12 A's written statement. It's pretty common for a</p> <p>13 student facing discipline to write out a statement,</p> <p>14 correct?</p> <p>15 A Correct.</p> <p>16 Q Okay. Now, did you take any written</p> <p>17 statements from any other students?</p> <p>18 A Yes.</p> <p>19 Q All right. And do -- is there a reason</p> <p>20 that they haven't been provided to the Board at this</p> <p>21 hearing?</p> <p>22 MS. HOERNSCHEMEYER: Objection.</p> <p>23 That's not her decision to provide those</p> <p>24 student statements.</p> <p>25 Q (By Mr. Rhoads:) I mean, do you know?</p>	<p style="text-align: right;">Page 51</p> <p>1 hearing.</p> <p>2 MS. HOERNSCHEMEYER: Well,</p> <p>3 that wasn't your question.</p> <p>4 MR. RHOADS: Well, I guess</p> <p>5 that's...</p> <p>6 Q (By Mr. Rhoads:) In Exhibit 3, there are</p> <p>7 no statements from any students regarding disruption</p> <p>8 to the educational environment, correct?</p> <p>9 A In Exhibit 3, are A S's</p> <p>10 statement.</p> <p>11 Q Right.</p> <p>12 A Right.</p> <p>13 Q A S's statement does not</p> <p>14 reflect disruption of the school because he wasn't in</p> <p>15 the school, right?</p> <p>16 MS. HOERNSCHEMEYER: Objection.</p> <p>17 Misstates the witness' prior testimony.</p> <p>18 MR. RHOADS: Can we get a</p> <p>19 ruling, or we can answer with subject</p> <p>20 to the objection? So...</p> <p>21 MS. HOERNSCHEMEYER: You can</p> <p>22 answer with subject to my objection if</p> <p>23 A S is in school.</p> <p>24 A He is in AEP. He was in AEP, yes, he was</p> <p>25 at school.</p>
<p style="text-align: right;">Page 50</p> <p>1 You can say if you know. If you don't know, you don't</p> <p>2 know, that's fine.</p> <p>3 MS. HOERNSCHEMEYER: Do you</p> <p>4 know why your attorney would or would</p> <p>5 not make any --</p> <p>6 WITNESS LILLARD: I don't know.</p> <p>7 MS. HOERNSCHEMEYER: All right.</p> <p>8 MR. RHOADS: Okay.</p> <p>9 Q (By Mr. Rhoads:) So what I'm getting at</p> <p>10 we don't have student's -- statements from any</p> <p>11 students in the record about how their educational</p> <p>12 experience was disrupted as a result of the meme A</p> <p>13 posted?</p> <p>14 A There's none in this document.</p> <p>15 Q Okay. So -- and we don't have any</p> <p>16 written student's statements that they -- they were</p> <p>17 fearing for CS or anything like that, right?</p> <p>18 A There's none in this document.</p> <p>19 Q Okay. And then just looking on --</p> <p>20 MS. HOERNSCHEMEYER: Just to</p> <p>21 be clear, are you asking do any student</p> <p>22 statements exist, or -- or are they</p> <p>23 reflected in this statement?</p> <p>24 MR. RHOADS: No. Are there</p> <p>25 any at all for us to look at in this</p>	<p style="text-align: right;">Page 52</p> <p>1 Q (By Mr. Rhoads:) So all I'm -- all I'm</p> <p>2 getting at is we don't have any student accounts</p> <p>3 written in Exhibit 3 about disruption of the school,</p> <p>4 just on that issue of disruption, right?</p> <p>5 MS. HOERNSCHEMEYER: I'm going</p> <p>6 to object. I think Exhibit 3 speaks for</p> <p>7 itself.</p> <p>8 MR. RHOADS: Okay. Fair</p> <p>9 enough.</p> <p>10 Q (By Mr. Rhoads:) So looking at -- let's</p> <p>11 look at page 4 of 10, the page that says in the upper</p> <p>12 right-hand corner 4 of 10 in Exhibit 3.</p> <p>13 A (Reviewing document.)</p> <p>14 Q Are you with me?</p> <p>15 A Yes, I am.</p> <p>16 Q Now, this is the image that A admitted</p> <p>17 to posting on the Snapchat group, correct?</p> <p>18 A Correct.</p> <p>19 Q Okay. Now, is it your testimony that</p> <p>20 high school students at Troy Buchanan High School saw</p> <p>21 this image and honestly believed that this was a</p> <p>22 picture of CS dead in a coffin?</p> <p>23 A Yes, they were concerned for him.</p> <p>24 Q The -- the question was more specific,</p> <p>25 that this was an actual picture of CS in a coffin.</p>

13 (Pages 49 to 52)

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<p style="text-align: right;">Page 53</p> <p>1 They didn't understand, in other words, that this was</p> <p>2 a -- a prank?</p> <p>3 A I would say that they took it pretty</p> <p>4 seriously. Yeah, it was very serious and offensive.</p> <p>5 Q No question it was offensive, but I mean,</p> <p>6 is it a realistic picture of --</p> <p>7 A It's a really -- it is CS, yes.</p> <p>8 Q Okay. That's -- that's your testimony,</p> <p>9 and that's fine.</p> <p>10 Turning to Exhibit 5, is the Student</p> <p>11 Handbook, right?</p> <p>12 A (Reviewing document.)</p> <p>13 Q And I just want to talk briefly about</p> <p>14 page 13, The Trojan Way. Are you familiar with this</p> <p>15 chart or --</p> <p>16 A Yes.</p> <p>17 Q -- can we call it that?</p> <p>18 A Uh-huh.</p> <p>19 Q Okay. So -- and I'm just pointing out</p> <p>20 here that The Trojan Way discusses conducts,</p> <p>21 school-wide common areas, rest rooms and locker rooms,</p> <p>22 assemblies and extra curricular, the parking lot and</p> <p>23 the bus. You with me there?</p> <p>24 A Yes.</p> <p>25 Q Now, you know, obviously and not to be</p>	<p style="text-align: right;">Page 55</p> <p>1 Q Okay. And then -- so when -- whenever</p> <p>2 you create a behavior detail report, things of that</p> <p>3 nature which not to get too confusing, like profile</p> <p>4 data reports, like the one that we looked at in</p> <p>5 Exhibit 2. Are these -- these are the codes that you</p> <p>6 use to like describe the conduct?</p> <p>7 A Yes, that is our Conduct Code.</p> <p>8 Q All right. And by codes, I'm talking</p> <p>9 about the things in the parentheses, so it says</p> <p>10 like DUBL, CYBR. You see that next to bullying?</p> <p>11 A I see that.</p> <p>12 Q Okay. And so flipping, we're kind of</p> <p>13 looking at two exhibits at once, but I see that you've</p> <p>14 got your hand there on the profile --</p> <p>15 A Uh-huh.</p> <p>16 Q -- data report and CYBR. And so that's</p> <p>17 called cyber bullying, right?</p> <p>18 A Yes.</p> <p>19 Q All right. So this is not -- you're not</p> <p>20 disciplining A█ for profane and/or threatening</p> <p>21 language, right? That's a different offense with a</p> <p>22 different code?</p> <p>23 A Correct.</p> <p>24 Q All right. The same with threats of a</p> <p>25 catastrophic nature, that's not what we're talking</p>
<p style="text-align: right;">Page 54</p> <p>1 facetious, but it doesn't mention anything about at</p> <p>2 home over the weekend, right?</p> <p>3 A I don't see that, no.</p> <p>4 Q All right. And because there is a limit</p> <p>5 -- there is a part of a student's life that is not</p> <p>6 subject to school discipline. Would you agree to</p> <p>7 that?</p> <p>8 A Yes, yeah.</p> <p>9 Q Okay. And I believe you testified that</p> <p>10 A█ created the meme that he created on Saturday,</p> <p>11 right?</p> <p>12 A Yes.</p> <p>13 Q And -- and you're not saying that he did</p> <p>14 on campus or with any school resources, right?</p> <p>15 A I don't know what he created it with.</p> <p>16 Q You don't have any knowledge that he used</p> <p>17 school resources to make these?</p> <p>18 A I don't have that information.</p> <p>19 Q Okay. Now, on the Code of Conduct, which</p> <p>20 begins on page 14, there's a list of offenses and</p> <p>21 codes, and you see where I'm looking, right?</p> <p>22 A (No audible response.)</p> <p>23 Q I guess starting on 15 and that's where</p> <p>24 bullying is, right?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 56</p> <p>1 about, it was just cyber bullying, correct?</p> <p>2 A Correct.</p> <p>3 Q And then just back to Exhibit 2 really</p> <p>4 briefly where you sort of describe what A█ told you</p> <p>5 and -- about what he did.</p> <p>6 You would agree that at least you did not</p> <p>7 write in this narrative that A█ called CS directly?</p> <p>8 A Yes, that's correct. It's not in here.</p> <p>9 Q All right. It also does not mention that</p> <p>10 he told people to call CS, correct?</p> <p>11 A Correct.</p> <p>12 Q Okay.</p> <p>13 MR. RHOADS: Those are my only</p> <p>14 questions at this time. Thank you.</p> <p>15 MS. HOERNSCHEMEYER: I have no</p> <p>16 additional questions. Thank you very</p> <p>17 much.</p> <p>18 (Thereupon, the witness was</p> <p>19 excused.)</p> <p>20 I'd like to call Dr. Penny.</p> <p>21 *****</p> <p>22 (Thereupon, the witness was</p> <p>23 sworn.)</p> <p>24 *****</p> <p>25</p>

14 (Pages 53 to 56)

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<p style="text-align: right;">Page 57</p> <p>1 DR. MARK PENNY, 2 of lawful age, produced, sworn, and examined on 3 behalf of the Administration, testifies as follows: 4 DIRECT EXAMINATION 5 QUESTIONS BY MS. HOERNSCHEMEYER: 6 Q Good afternoon, Dr. Penny. I think 7 everyone in this room knows who you are, but if you 8 would just indulge me. For the record, state your 9 name and your position. 10 A Mark Penny, Superintendent of Schools, 11 Lincoln County R-III School District. 12 Q And, Dr. Penny, how long have you held 13 the position of superintendent? 14 A This is my 11th year, 8th year in Troy. 15 Q Can you give us a little bit of your 16 background in administration and your education 17 background, certificates, degrees. 18 A Yes, this is my 27th year in education. 19 For five years, I served as a high school principal in 20 the Moberly School District. For four years, I served 21 as an assistant superintendent of curriculum of 22 instruction in the Moberly School District, three 23 years as the superintendent in the Moberly School 24 District, and the last seven plus years now as 25 superintendent here in Troy.</p>	<p style="text-align: right;">Page 59</p> <p>1 electronic communication using a device. 2 A couple of years ago we surveyed our 3 students. 97 percent of 9th graders had a cell -- 4 cell phone or a Smart phone. So it's not uncommon for 5 many of our students as young as kindergarten to have 6 Smart phones when they come to the -- to school. 7 So many of our secondary students do have 8 Smart phones, and so we allow them to use those during 9 passing times, but cyber bullying I think is something 10 that I would coin epidemic. And we're trying very 11 hard to protect all of our students' rights and 12 privileges as -- as they are here as a student in our 13 school district. 14 Q So cyber bullying, it's -- like you said, 15 it's using any electronic means, a phone or the 16 internet, and to post something harmful or cruel, an 17 image? 18 A Yes. And so you know, we -- we have 19 anti-bullying awareness assemblies and campaigns. We 20 have a group just at the high school called Breakdown 21 STL where we work on making sure that students are 22 aware of those types of acts and then how to deal with 23 that and report that to a trusted adult so that we can 24 be proactive and not as reactive. 25 Q Why is this School District putting</p>
<p style="text-align: right;">Page 58</p> <p>1 I have a Bachelor's Degree in Science of 2 Education, Master's Degree in Secondary 3 Administration, a Specialist Degree in Educational 4 Administration, a certificate -- Superintendent's 5 Certificate and a Doctorate of Educational 6 Administration. 7 Q Thank you very much. As part of your 8 duties as superintendent, is it to be familiar with 9 your Board of Education policies and your Student 10 Handbooks, correct? 11 A Yes. 12 Q And understanding the Code of Conducts 13 and the length of disciplinary consequences? 14 A Yes. 15 Q I asked your assistant high school 16 principal questions about cyber bullying. I'd like to 17 ask you those same questions. 18 If you could tell the Board of Education 19 what's your understanding of what cyber bullying is. 20 A Certainly the word viral comes to mind. 21 Students, in my experience, have used Snapchat, 22 Instagram, Twitter, Facebook, Direct Messages. 23 Students have posts of themselves with a self -- selfie 24 or a picture of holding a weapon to intimidate other 25 students. So anything as far as any type of</p>	<p style="text-align: right;">Page 60</p> <p>1 resources and time and energy more into cyber bullying 2 now? 3 A Our students are just that important, and 4 it's because I think we see increasing levels of those 5 bullying and cyber bullying being reported to the 6 Administration and to the teachers. And so we 7 investigate those claims and work with our victims, if 8 you will, and also work with the students who violate 9 those Student Code of Conduct. 10 Q Do you have an opinion whether cyber 11 bullying is more or less harmful than traditional 12 face-to-face bullying? 13 A I have an opinion that all bullying is 14 harmful to students, to their -- to their self esteem 15 and we work with students being depressed. Students 16 have reported threats of self-harm, even threats of 17 attempted suicide. So to me that raises the level of 18 concern and that we want to protect all of our 19 students. 20 Q What's -- what are some unique aspects of 21 cyber bullying compared to traditional? 22 A I think the amount of friends, so to 23 speak, that -- let's just say Snapchat or Instagram or 24 even Facebook would have. And I don't know if young 25 people realize when a post is made, how viral that</p>

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<p style="text-align: right;">Page 61</p> <p>1 becomes, and then it's really hard to take that back. 2 So we -- we -- that's part of our 3 anti-bullying campaigns, to demonstrate that, that one 4 post can be sent out very quickly, and it's -- it's 5 hard to get that to -- to recant -- recant that post, 6 if you will. 7 Q Right, right. So your post can be 8 permanent? 9 A Yes. 10 Q If there's access or it goes out to the 11 worldwide web, it's hard to ever retrieve -- 12 A Yes. 13 Q -- those images? 14 A Yes, and that's exactly what our message 15 is to our students by pre-K to 12th grade. 16 Q Are you familiar with a student named 17 A S [REDACTED]? 18 A I am now, yes. 19 Q And he's a student in the Troy School 20 District? 21 A Yes, I believe A S [REDACTED] is a junior 22 at Troy Buchanan High School. 23 Q And while you as superintendent your duty 24 isn't to do the beginning investigation or 25 disciplinary incidences. You delegate that to your</p>	<p style="text-align: right;">Page 63</p> <p>1 Then she brings that to my office for further review. 2 And then I make a determination of those days from 11 3 to 180-day out-of-school suspension. 4 I always look to see if AEP has been 5 offered to the parent and to the student. This our 6 third year now for the Academic Education Placement 7 Program. I did not have that prior to my arrival, and 8 I had experienced that at another school district and 9 saw that to be very -- very worthwhile for our 10 students' academic progress. 11 And then upon that, we will then 12 communicate that to the parents and to the student, 13 that -- sometimes I have extended discipline, and 14 sometimes I have not, depending on the severity of the 15 -- the situation. 16 Q So in the -- in the instance of A S [REDACTED] 17 S [REDACTED] in the fall of 2018, were you notified of a 18 request for additional disciplinary consequences? 19 A I was for two -- for two different 20 instances, yes. 21 Q And the first incident is -- we're not 22 here today -- just to be clear to the Board, we're not 23 here today on the first incident. That's not being 24 appealed. 25 But for background, what was that first</p>
<p style="text-align: right;">Page 62</p> <p>1 principals and your assistance principals, correct? 2 A Yes. We ensure that they will do 3 thorough investigations regarding student complaints 4 or staff mess -- staff referrals as far as the 5 violation of the Student Code of Conduct. So I do not 6 necessarily handle those on a case-by-case at the 7 building level, no. 8 Q But if a disciplinary action, the 9 determination by your high school principal or 10 assistant principal, is more than ten days or deemed 11 worthy more than a ten-day out-of-school suspension, 12 they need to refer that to you and make -- for you to 13 make a decision, correct? 14 A Yes, I look at any ten-day out-of-school 15 suspension and referral, and then I make a 16 determination to suspend from 11 to 180 days of 17 out-of-school suspension. 18 Q So how does that process work? How do 19 you get information that a student has been suspended 20 for ten days with a recommendation by your 21 administrative team for more? 22 A So for example, our high school principal 23 or assistant principal will contact my office, and I 24 have an administrative assistant, Ms. Julia Beverly, 25 who handles those -- handles that paperwork coming in.</p>	<p style="text-align: right;">Page 64</p> <p>1 incident? 2 A Well, it was brought to my attention to 3 the Remind app that our teacher Ms. Williams is using 4 and many of our teachers use the Remind app to remind 5 students of homework assignments and tests upcoming, 6 that a picture of a naked buttocks was sent to the 7 teacher. I felt like that was -- rose to a level of 8 teacher disrespect, and I assigned additional 20 days 9 of out-of-school suspension for that act. 10 I had done that in situations of using 11 profane language directed at staff or total disrespect 12 in my opinion to our staff or administration. 13 Q So then while A S [REDACTED] was in out-of-school 14 suspension for the app incident, working through, 15 getting credit through the AEP program that you 16 detailed, were you notified of the second potential 17 disciplinary referral incident? 18 A I was, and so I believe it was October 19 the 8th, Monday. It was anywhere from the 8th to the 20 11th. I can't -- I can't remember the date exactly, 21 but anyway in that timeframe, I was brought -- it was 22 brought to my attention that there was another act of 23 cyber bullying. This was made towards the student. 24 CS are the initials. 25 Q And how did you learn about this</p>

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<p style="text-align: right;">Page 65</p> <p>1 incident?</p> <p>2 A Mrs. Beverly brought that to me, just</p> <p>3 like as she does the other student disciplinary</p> <p>4 referrals that I receive amongst my eight years as</p> <p>5 superintendent here.</p> <p>6 Q You get district documentation from the</p> <p>7 initial incident?</p> <p>8 A I do. I read the discipline profile to</p> <p>9 see what was -- what was issued at the building level,</p> <p>10 and then I look through the documentation. I read</p> <p>11 student statements. I look at the -- I -- I -- what I</p> <p>12 call artifacts. So I look for any types of evidence</p> <p>13 that can help me make a well-informed decision.</p> <p>14 Q Okay. And then in this instance, did you</p> <p>15 make a determination for additional disciplinary</p> <p>16 consequences?</p> <p>17 A I did, and a ten-day out-of-school was</p> <p>18 referred by the building principal, and I decided to</p> <p>19 recommend suspension to the end of the semester.</p> <p>20 My thought process was that A [REDACTED] had</p> <p>21 already been suspended previously, and that maybe</p> <p>22 after the first semester, he can come back and get a</p> <p>23 fresh start and begin a second -- second semester at</p> <p>24 Troy Buchanan.</p> <p>25 Q So and your decision was to increase the</p>	<p style="text-align: right;">Page 67</p> <p>1 Q Did you make a determination that A [REDACTED]'s</p> <p>2 conduct was prejudicial to good order and discipline</p> <p>3 in your schools?</p> <p>4 A Yes, I did.</p> <p>5 Q And why?</p> <p>6 A I felt like that cyber bullying cannot be</p> <p>7 tolerated. Bullying cannot be tolerated at any level,</p> <p>8 and so we investigate all of those claims. And I felt</p> <p>9 like it was a -- when -- when the principal and</p> <p>10 assistant principal shared with me that the student CS</p> <p>11 was -- was -- it was brought to his attention was he</p> <p>12 okay or was he dead, that students really actually</p> <p>13 thought that, it really rose to a different level in</p> <p>14 my opinion.</p> <p>15 Q And it's your understanding that there</p> <p>16 needs to be some sort of connection to the educational</p> <p>17 environment and disruption for us to institute such</p> <p>18 type of discipline for electronic communication,</p> <p>19 correct?</p> <p>20 A Yes.</p> <p>21 Q And in your professional opinion, was --</p> <p>22 did that exist here in this case?</p> <p>23 A Yes, it did.</p> <p>24 Q Okay. And how so?</p> <p>25 A It rose to the level of a disruption of</p>
<p style="text-align: right;">Page 66</p> <p>1 discipline by 13 days?</p> <p>2 A Yes.</p> <p>3 Q His disciplinary consequence for this</p> <p>4 incident we're here today before the Board, would</p> <p>5 start November 14th; is that correct?</p> <p>6 A That's correct, because the last day is</p> <p>7 November 13th for the first incident regarding the</p> <p>8 disrespect of Remind app.</p> <p>9 Q Okay. So he will finish his suspension</p> <p>10 for the first incident November 13th. He'll start the</p> <p>11 discipline for this incident on the 14th. The</p> <p>12 principal did 10 days, and then you did 13, which is</p> <p>13 an unusual number.</p> <p>14 A Yeah.</p> <p>15 Q And the reason why it's 13 is, my</p> <p>16 understanding is, to allow him to come back even a</p> <p>17 little bit earlier than maybe you would have normally</p> <p>18 suspended him for, correct?</p> <p>19 A Yes.</p> <p>20 Q To give him an opportunity to come back,</p> <p>21 start this second semester, fresh start, correct?</p> <p>22 A I take the decision to suspend students</p> <p>23 very seriously, and so that's the reason I decided to</p> <p>24 adhere to that 13-day out-of-school suspension</p> <p>25 additional.</p>	<p style="text-align: right;">Page 68</p> <p>1 the learning environment at Troy Buchanan High School.</p> <p>2 The student CS was involved in a physical altercation</p> <p>3 as a result of what I felt like was A [REDACTED]'s intentions</p> <p>4 regarding Snapchat, and I think that other students</p> <p>5 began to talk about it. The staff was bringing it to</p> <p>6 the Administrative attention. Not a typical situation,</p> <p>7 and the whole of the extent of discipline is to change</p> <p>8 behavior, and the students learn from that.</p> <p>9 Q And your understanding, is this correct,</p> <p>10 that students were sharing this meme at school?</p> <p>11 A Yes.</p> <p>12 Q Carrying their electronic devices into</p> <p>13 the school?</p> <p>14 A Yes.</p> <p>15 Q And showing it to other students?</p> <p>16 A Yes.</p> <p>17 Q During multiple class periods?</p> <p>18 A I would say anywhere from 7:30 in the</p> <p>19 morning to 2:30 in the afternoon, yes.</p> <p>20 Q And ultimately this disruption cultivated</p> <p>21 into a physical altercation?</p> <p>22 A Yes. In other words, we probably would</p> <p>23 not have had that physical altercation had this -- the</p> <p>24 post to the Snapchat, not been ever done in the first</p> <p>25 place.</p>

17 (Pages 65 to 68)

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<p style="text-align: right;">Page 69</p> <p>1 Q You were here when your -- Dr. Lillard 2 testified regarding the handbook. Did you hear 3 everything that she said, and would you have disagreed 4 with any of her testimony? 5 A No, I heard everything she said, and I 6 would agree with her -- with her finding. 7 Q And that's your understanding, that the 8 Troy Buchanan Handbook prohibits cyber bullying and 9 bullying, correct? 10 A Yes, I review the handbook on an annual 11 basis and present it to the Board of Education for 12 approval. 13 Q And your Board policies also that we went 14 through, those that were Exhibits, I think, 6, 7, 8, 15 9, also reflect the ability to discipline for 16 bullying, cyber bullying, off-campus, correct? 17 A Yes, I review those as well and I refer 18 those to the Board of Education for approval or any 19 modification. 20 Q Okay. So I wanted to direct your 21 attention to Exhibit 10. Do you recognize this 22 document? 23 A Yes, I do. 24 Q So a letter dated October 19th, correct? 25 A Yes.</p>	<p style="text-align: right;">Page 71</p> <p>1 Q This is a letter by you as well? 2 A Yes, it is. 3 Q And it's to the Schaefer's dated October 4 24, 2018? 5 A Yes. 6 Q And reflect today's date a 2:00 p.m. 7 hearing for a disciplinary -- 8 A Yes. 9 Q -- appeal? 10 MS. HOERNSCHEMEYER: I move to 11 admit 11 and 12. 12 PRESIDENT MILLS: Eleven and 13 twelve or ten and eleven? 14 MS. HOERNSCHEMEYER: I'll go 15 with you, 10 and 11. 16 PRESIDENT MILLS: Admitted. 17 (Thereupon, evidence was marked 18 for identification and admitted into 19 the record as Exhibits 10 and 11.) 20 Q (By Ms. Hoernschemeyer:) It's not an 21 easy decision, Dr. Penny, to do a long-term suspension 22 for any students at the District, correct? 23 A No, it is not. I have well over 6,400 24 students that I'm entrusted to care for, and I take 25 that decision very seriously.</p>
<p style="text-align: right;">Page 70</p> <p>1 Q Is this letter from you? 2 A Yes, it is. 3 Q And who is it to? 4 A It is to Chris and Tammy Schaefer. 5 Q Okay. And this letter reflects your 6 decision to implement long-term suspension to A [REDACTED] for 7 this -- the cyber bullying and the creation of the 8 meme and the bullying at school, correct? 9 A Yes. 10 Q It's a multi-page document. It reflects 11 his ability to have a hearing? 12 A Yes, it does. 13 Q His rights to counsel, call witnesses, 14 cross-examine? 15 A Yes, it does. 16 Q Also this letter you've attached as an 17 enclosure policies that we've gone through, Code of 18 Conduct from the section of the Handbook, correct? 19 A Yes. 20 Q And all that was sent with the letter as 21 well? 22 A Yes, it was. To my knowledge, yes. 23 Q And then I point you to or ask you to 24 refer to Exhibit 11. 25 A Yes.</p>	<p style="text-align: right;">Page 72</p> <p>1 Q And in this case, your decision for 13 2 days was made in compliance with your Board policy and 3 your handbook, correct? 4 A Yes, it was. 5 Q And in your years of many years, decades, 6 of being an administrator, that experience of being an 7 administrator, this is the appropriate type and length 8 of discipline for the misconduct? 9 A Yes, it is. 10 MS. HOERNSCHEMEYER: I have no 11 further questions. 12 MR. RHOADS: Okay. 13 ***** 14 CROSS-EXAMINATION 15 QUESTIONS BY MR. RHOADS: 16 Q Dr. Penny, I'm Dan Rhoads. As you know 17 by now, I represent A [REDACTED] and his parents. 18 A Yes, sir. 19 Q I have just a very few questions for you. 20 It's true, you did not meet with A [REDACTED] or his parents 21 about this suspension, correct? 22 A No, I did not. 23 Q Okay. And it's true that no 24 administrators for the District met with them before 25 the decision to extend the suspension beyond ten days?</p>

18 (Pages 69 to 72)

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<p>1 A No, they didn't. No, we did not.</p> <p>2 Q Okay. And then just briefly on Exhibit</p> <p>3 10, it's actually the eighth page of Exhibit 10, but</p> <p>4 at the top it's got Students and Discipline Policy</p> <p>5 Number 2600, and lower on the page is Policy 2610.</p> <p>6 Are we all on the same...</p> <p>7 MS. HOERNSCHEMEYER: Is it --</p> <p>8 MR. RHOADS: Sorry.</p> <p>9 MS. HOERNSCHEMEYER: Is it --</p> <p>10 which page is it?</p> <p>11 MR. RHOADS: It's the eighth</p> <p>12 page of Exhibit 10. I believe you...</p> <p>13 MS. HOERNSCHEMEYER: Here?</p> <p>14 MR. RHOADS: Yeah, but that's</p> <p>15 not the same page you're looking at, but</p> <p>16 it starts with Policy 2600 at the top.</p> <p>17 MS. HOERNSCHEMEYER: Okay.</p> <p>18 MR. RHOADS: Maybe it's the</p> <p>19 seventh page. I apologize.</p> <p>20 Q (By Mr. Rhoads:) Okay. So I just wanted</p> <p>21 to make sure that we were both looking at Policy 2610</p> <p>22 at the bottom of the page.</p> <p>23 A Yes, sir.</p> <p>24 Q All right. And all I'm trying to</p> <p>25 establish the very last sentence on that policy says:</p>	<p>1 discipline up to and including</p> <p>2 expulsion."</p> <p>3 So your question, once again, sir, is?</p> <p>4 Q Just that that reflects that there is a</p> <p>5 legal sort of limit to off student -- off-campus</p> <p>6 student conduct that can be disciplined by the school.</p> <p>7 A I don't read the word limits. I don't</p> <p>8 see -- I don't see like there was --</p> <p>9 Q There's an extent -- there's an extent to</p> <p>10 which the law --</p> <p>11 A Yes, I would agree with that.</p> <p>12 Q Okay.</p> <p>13 A I don't necessarily see that -- if that</p> <p>14 outside -- misconduct off-campus comes into the school</p> <p>15 and creates a disruption of the academic learning</p> <p>16 environment, that is -- that's when we would become</p> <p>17 involved, yes.</p> <p>18 Q Right. And that's -- I mean, that's the</p> <p>19 disagreement we have here today is --</p> <p>20 A Yeah.</p> <p>21 Q -- is that, you know, disruptions of the</p> <p>22 school was that as significant under the law, but</p> <p>23 you're just -- I'm just trying to establish that the</p> <p>24 law does place a limit on that.</p> <p>25 A Yes.</p>
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<p>1 "Students who engage in</p> <p>2 significant acts of misconduct</p> <p>3 off campus which materially</p> <p>4 and adversely impact the</p> <p>5 educational environment of</p> <p>6 district students, to the extent</p> <p>7 allowed by law, will be subject</p> <p>8 to discipline up to and including</p> <p>9 expulsion."</p> <p>10 Do you see that?</p> <p>11 A Yes, I do.</p> <p>12 Q And that -- that phrase, to the extent</p> <p>13 allowed by law, that recognizes that the -- the law</p> <p>14 does not allow the school district to discipline</p> <p>15 students for anything they do off campus, correct?</p> <p>16 A I'm not sure I read it that way. I don't</p> <p>17 -- it doesn't say -- let me -- let me read that</p> <p>18 sentence if you don't mind.</p> <p>19 "Students who engage in</p> <p>20 significant acts of misconduct</p> <p>21 off campus which materially and</p> <p>22 adversely impact the educational</p> <p>23 environment in the district</p> <p>24 students, to the extent allowed</p> <p>25 by law, will be subject to</p>	<p>1 Q Okay. And before I make any assumptions,</p> <p>2 do you have any legal training, like did you go to law</p> <p>3 school or --</p> <p>4 A I did not -- I did not go to law school,</p> <p>5 but I have been trained in Title 9, and I have as part</p> <p>6 of my coursework, is advanced school law, and so --</p> <p>7 but I'm not a lawyer.</p> <p>8 Q Okay.</p> <p>9 MR. RHOADS: And that's all I</p> <p>10 have. Thank you.</p> <p>11 WITNESS PENNY: Thank you.</p> <p>12 MS. HOERNSCHEMEYER: No further</p> <p>13 questions. Thank you, Dr. Penny.</p> <p>14 (Thereupon, the witness was</p> <p>15 excused.)</p> <p>16 Okay. The Administration rests.</p> <p>17 PRESIDENT MILLS: All right.</p> <p>18 Mr. Rhoads, are you ready to</p> <p>19 proceed?</p> <p>20 MR. RHOADS: I am ready. I</p> <p>21 before I call my first witness, I -- I'd</p> <p>22 like to move to admit Exhibit 1. We had</p> <p>23 testimony on that during Dr. Lillard.</p> <p>24 I don't know. I got lost in the</p> <p>25 shuffle. I never made that motion, so</p>

19 (Pages 73 to 76)

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<p>1 I'm moving to admit Exhibit 1.</p> <p>2 PRESIDENT MILLS: Admitted.</p> <p>3 (Thereupon, evidence was marked</p> <p>4 for identification and admitted into</p> <p>5 the record as Exhibit 1.)</p> <p>6 MR. RHOADS: Okay. Thank you.</p> <p>7 MS. HOERNSCHEMEYER: And if</p> <p>8 there's any exhibit that I -- did you</p> <p>9 catch any exhibit I referred to and I</p> <p>10 failed to admit?</p> <p>11 MR. RHOADS: No. I don't</p> <p>12 think we went over four.</p> <p>13 MS. HOERNSCHEMEYER: Four was</p> <p>14 encompassed in the other one, so I didn't</p> <p>15 do it.</p> <p>16 MR. RHOADS: Okay.</p> <p>17 MS. HOERNSCHEMEYER: But I</p> <p>18 think that -- oh, the only other thing</p> <p>19 is there's all our letters. There's</p> <p>20 no argument about not knowing about the</p> <p>21 hearing date or the time?</p> <p>22 MR. RHOADS: No.</p> <p>23 MS. HOERNSCHEMEYER: Actually</p> <p>24 all these --</p> <p>25 MR. RHOADS: I actually did</p>	<p>1 A ■■■ S ■■■■,</p> <p>2 of lawful age, produced, sworn, and examined on</p> <p>3 behalf of the Student, testifies as follows:</p> <p>4 DIRECT EXAMINATION</p> <p>5 QUESTIONS BY MR. RHOADS:</p> <p>6 Q So would you state your name for the --</p> <p>7 for the record.</p> <p>8 A My name's A ■■■ S ■■■■.</p> <p>9 Q A ■■■, how old are you?</p> <p>10 A Sixteen.</p> <p>11 Q And until last month, where did you go to</p> <p>12 school?</p> <p>13 A Troy Buchanan High School.</p> <p>14 Q Did you ever, as a high school student,</p> <p>15 participate in any extra curricular activities?</p> <p>16 A Yes, I was in band up until this year.</p> <p>17 Q And before -- before last month, had you</p> <p>18 ever been suspended from school?</p> <p>19 A No.</p> <p>20 Q Do you know what Snapchat is?</p> <p>21 A Yes.</p> <p>22 Q Okay. Can you describe to the Board</p> <p>23 members just very briefly what Snapchat is.</p> <p>24 A It's basically social media app that you</p> <p>25 can talk to friends on, send messages, post pictures,</p>
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<p>1 have that in my file. It was stapled to</p> <p>2 the back of another letter. So...</p> <p>3 MS. HOERNSCHEMEYER: Okay.</p> <p>4 MR. RHOADS: At the time I</p> <p>5 told that to you, I hadn't seen it, but</p> <p>6 I did have it.</p> <p>7 MS. HOERNSCHEMEYER: Okay. So</p> <p>8 I don't need to admit those because</p> <p>9 there's no issue with the date or the</p> <p>10 time of the hearing?</p> <p>11 MR. RHOADS: We're here.</p> <p>12 MS. HOERNSCHEMEYER: Yeah.</p> <p>13 PRESIDENT MILLS: Exhibit 1</p> <p>14 is admitted.</p> <p>15 MR. RHOADS: Thank you. And</p> <p>16 I'm going to call A ■■■ S ■■■■; please.</p> <p>17 So he gets to sit up there, and that's</p> <p>18 the binder with the exhibits. So...</p> <p>19 (Thereupon, the witness was</p> <p>20 sworn.)</p> <p>21 *****</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 and you can create groups, talk with your friends, all</p> <p>2 that stuff.</p> <p>3 Q And you are on Snapchat?</p> <p>4 A Yes.</p> <p>5 Q What do you need Snapchat for?</p> <p>6 A To talk to my friends.</p> <p>7 Q You had mentioned creating groups. Can</p> <p>8 you describe what it means to create a group on</p> <p>9 Snapchat.</p> <p>10 A Yeah, you can -- it's basically where you</p> <p>11 can add a group of friends into a group, and they'll</p> <p>12 talk to each other at the same time.</p> <p>13 Q And is there a way to -- like what's the</p> <p>14 access -- once you create a Snapchat group, is there a</p> <p>15 way to limit access to those people?</p> <p>16 A Yes, only the people in that group can</p> <p>17 see what's being posted in it and who's in it.</p> <p>18 Q Are you a member of any groups on</p> <p>19 Snapchat?</p> <p>20 A Yes.</p> <p>21 Q Can you tell me about the Snapchat group</p> <p>22 that got you in trouble here.</p> <p>23 A It's a group of about eight people, of</p> <p>24 some students who go to Troy Buchanan High School.</p> <p>25 Q Do you -- do you recall when it was</p>

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<p style="text-align: right;">Page 81</p> <p>1 created?</p> <p>2 A No.</p> <p>3 Q Do you recall who created it?</p> <p>4 A No.</p> <p>5 Q Do you recall if there was -- well, did</p> <p>6 -- did the student CS -- I take it you know who we're</p> <p>7 referring to when we say CS.</p> <p>8 A (Nodding.)</p> <p>9 Q Okay. So I'm going to do my best to</p> <p>10 just --</p> <p>11 A Yeah.</p> <p>12 Q -- use that term.</p> <p>13 Was the creation of the group, did it</p> <p>14 have anything to do with CS?</p> <p>15 A No.</p> <p>16 Q Okay. So this wasn't a group that was</p> <p>17 created to bully him or anything?</p> <p>18 A (No audible response.)</p> <p>19 Q Okay. Was there ever a discussion in</p> <p>20 that group about guns or other weapons?</p> <p>21 A No.</p> <p>22 Q Did you ever talk in that group about</p> <p>23 hurting people, either in school or out of school?</p> <p>24 A No.</p> <p>25 Q What did you guys like post in those</p>	<p style="text-align: right;">Page 83</p> <p>1 would have to joke about these things on your Snapchat</p> <p>2 group?</p> <p>3 A Well, I didn't think it would have a very</p> <p>4 big impact or consequence because it was kind of in a</p> <p>5 private group and it wasn't very -- a very serious</p> <p>6 picture. It was kind of obviously fake. I didn't</p> <p>7 think anybody would actually believe that it was a --</p> <p>8 a real picture.</p> <p>9 Q Okay. Did you mean it as a threat?</p> <p>10 A No.</p> <p>11 Q So you -- was this a message that we're</p> <p>12 going to kill CS?</p> <p>13 A No.</p> <p>14 Q All right. Who did you think would see</p> <p>15 it?</p> <p>16 A Just the people in the group.</p> <p>17 Q And again, did you think it was -- was it</p> <p>18 silly or was it scary?</p> <p>19 A It was silly.</p> <p>20 Q Now tell me what exactly you did with it.</p> <p>21 A I posted it into the group chat, and</p> <p>22 people from that group chat posted it to the public,</p> <p>23 and then it kind of spread around from there.</p> <p>24 Q Okay. Now, did you -- I think we've</p> <p>25 established that, as you wrote in your statement, you</p>
<p style="text-align: right;">Page 82</p> <p>1 group chats?</p> <p>2 A We were just send each other funny stuff,</p> <p>3 talk about things that happened at school, talk about</p> <p>4 school in general.</p> <p>5 Q Do you recall when -- when the student</p> <p>6 named CS sort of came up as a subject in that group</p> <p>7 chat?</p> <p>8 A It was around Saturday, Saturday, October</p> <p>9 6th.</p> <p>10 Q Do you recall why the group started</p> <p>11 talking about CS?</p> <p>12 A He had always been a -- he had before</p> <p>13 that been a part of that group, but then left. And he</p> <p>14 was just kind of a -- they would talk about him</p> <p>15 occasionally, like things that he would do, I guess.</p> <p>16 Q Okay. Do you recall why he left the</p> <p>17 group?</p> <p>18 A No.</p> <p>19 Q Do -- do you know how the idea of saying</p> <p>20 CS was dead got started?</p> <p>21 A It was just kind of made up like a joke.</p> <p>22 It wasn't meant to be taken seriously.</p> <p>23 Q Do you know whose idea it was?</p> <p>24 A It was A ■■■ Mi ■■■ (ph.).</p> <p>25 Q Okay. Do -- what effect did you think it</p>	<p style="text-align: right;">Page 84</p> <p>1 had told people to post it?</p> <p>2 A Uh-huh.</p> <p>3 Q All right. Did you ever encourage people</p> <p>4 to call CS?</p> <p>5 A No.</p> <p>6 Q Did you call CS?</p> <p>7 A One time, yes.</p> <p>8 Q Okay. Did you tell Dr. Lillard that you</p> <p>9 told people to call CS?</p> <p>10 A No.</p> <p>11 Q All right. So is it possible when she</p> <p>12 testified that she was just mistaken?</p> <p>13 A Yeah, I think so.</p> <p>14 Q Okay. But your testimony under oath is</p> <p>15 that you did not have people call CS?</p> <p>16 A No.</p> <p>17 Q All right. And when did you sort of</p> <p>18 become aware that -- that CS saw the post?</p> <p>19 A After I was visited by Dr. Lillard and</p> <p>20 Mr. White at the AEP New Horizons.</p> <p>21 Q Okay. Do you recall what day? You can</p> <p>22 maybe say the day of the week or -- or when you had</p> <p>23 that meeting.</p> <p>24 A It was the 11th of October.</p> <p>25 Q All right. Prior to the 11th of October,</p>

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1 you were unaware that there was any problem caused by
 2 your post?
 3 A Yeah. Besides when he choked L [REDACTED] (ph.),
 4 but I didn't believe it was anything to do with the
 5 picture.
 6 Q So you knew that CS choked LP?
 7 A Uh-huh.
 8 Q Okay. But you -- you did not understand
 9 that to be related to what you did on --
 10 A Yeah.
 11 Q -- Snapchat? Okay.
 12 And what did they say to you when they
 13 met with you, Dr. Lillard and Mr. White?
 14 A They said that I was accused of making a
 15 picture, which I did, and having it -- a picture CS in
 16 a coffin, and it said to come -- come see him, spread
 17 positive vibes, and that it was taken a cyber
 18 bullying. And that C [REDACTED] did not -- or CS did not
 19 like it.
 20 Q Okay. Did they -- did they describe to
 21 you disruption in the school in that meeting?
 22 A No.
 23 Q Now, I want to -- I want you to look at
 24 Exhibit 3. We've been over this exhibit, and this is
 25 -- and have you seen this before --

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1 the Board what these captions mean, if you know.
 2 A It just meant he was squatting 385 pounds
 3 and that he was beast.
 4 Q Okay. And I mean, what did you mean by
 5 where it says "D, bro, you are a beast"? I mean --
 6 A Oh, well, I was referring to the previous
 7 caption, and it was also kind of like a -- like a
 8 reference of him being dead, I guess.
 9 Q Okay. And then on the next page, do you
 10 know the image of the woman on the top of that? Do
 11 you know what that is?
 12 A No.
 13 Q All right. Did you post this?
 14 A No.
 15 Q Do you know who this Solidus person is?
 16 A Yes.
 17 Q Okay. And that's -- is that you or just
 18 say if it's you or not, I guess.
 19 A It's A [REDACTED] M [REDACTED] (ph.).
 20 Q Okay. Well, there it is.
 21 And then is this the picture of the
 22 pre-workout that is mentioned in your statement?
 23 A Yeah.
 24 Q All right. And what -- what does this
 25 mean?

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1 A Yes.
 2 Q -- sitting here, right? So I mean, can
 3 you say that this -- that there are important facts
 4 that you told Dr. Lillard that are not written in this
 5 statement?
 6 A (Reviewing document.) Yes.
 7 Q Like what?
 8 A That it was -- I did not post it to the
 9 public, and that it was kind of -- it was
 10 misunderstood as a -- it was meant to be a joke but
 11 taken the wrong way.
 12 Q Okay. Now, I want to take you through
 13 the images, because there are several images here.
 14 They've been admitted into evidence, so I want to make
 15 sure that the Board understands what's going on with
 16 these. [REDACTED]
 17 A Okay.
 18 Q So please turn to -- it says page 2 of 10
 19 in the upper right-hand corner. There you go.
 20 Now, was this part of the Snapchat group?
 21 A Uh-huh.
 22 Q What is this a picture of?
 23 A It was a video of C [REDACTED] squatting in
 24 weight -- weight class.
 25 Q Okay. And can you just like explain to

Page 88

1 A I'm not sure.
 2 Q Okay. Now, the next page is the, of
 3 course, the famous, you know, picture of CS in a
 4 coffin, and this is the one that you sort of created,
 5 right?
 6 A Yeah.
 7 Q And again, I mean, did you mean this to
 8 be taken seriously like --
 9 A No.
 10 Q -- that people would actually think
 11 that's a picture of C [REDACTED]?
 12 A No.
 13 Q All right. And then I want you to turn
 14 to page 8 of 10. And that's a really nasty image.
 15 What can you tell us about this, what -- about this?
 16 A I'm not sure who made it or where it came
 17 from, but I didn't have anything to do with it.
 18 Q Okay. And you can see like at the top of
 19 that image, there's -- there's a blue bar that says
 20 Snapchat from AS.
 21 A Uh-huh.
 22 Q Okay. Now, you can forgive us for
 23 thinking that that puts you -- that connects you to
 24 that image, right?
 25 A Yeah.

22 (Pages 85 to 88)

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<p style="text-align: right;">Page 89</p> <p>1 Q But can you explain like what that is an 2 image of? 3 A So basically when somebody messages you 4 through Snapchat, it puts a little notification at the 5 top of your phone screen on the iPhone, and that was 6 just a notification of me texting whoever took this -- 7 Q Okay. 8 A -- screen shot. 9 Q So that's a screen shot of someone 10 looking at that on his meme -- meme on his phone while 11 being Snapchatted by you? 12 A Uh-huh. 13 Q Like not in connection with that image? 14 A Yeah. 15 Q Okay So even though it looks like you 16 have something to do with that image, your testimony 17 under oath is that you did not create that image? 18 A Uh-huh. 19 Q You did not post it? 20 A Yeah. 21 Q All right. Then on the next page, again, 22 "I don't have all day," and then the other one says, 23 "I just didn't know how gay C [REDACTED] could be." 24 Did you make these memes? 25 A No.</p>	<p style="text-align: right;">Page 91</p> <p>1 Q All right. Would you do this again? 2 A No. 3 Q What would you say to CS about this post? 4 A I would apologize to him for making it 5 seem like I was targeting him kind of in a -- in a 6 negative way because that's not exactly -- that's not 7 how I meant for it to be taken. It was supposed to be 8 like a -- kind of a friendly joke because he was -- we 9 were somewhat friends before this -- this whole event. 10 Q Okay. So -- 11 MR. RHOADS: That's all the 12 questions I have. This is the part 13 where the Administration's attorney is 14 going to ask you questions. Okay? 15 WITNESS A. S. [REDACTED]: Uh-huh. 16 ***** 17 CROSS-EXAMINATION 18 QUESTIONS BY MS. HOERNSCHEMEYER: 19 Q A [REDACTED], was L [REDACTED] in the -- you talked 20 about a group in Snapchat or L. Was L [REDACTED] in that 21 group with you? 22 A Uh-huh. 23 Q Is that a yes? 24 A Yeah. 25 Q I just say that so the court reporter can</p>
<p style="text-align: right;">Page 90</p> <p>1 Q Do you know who did? 2 A No. 3 Q All right. Do you know why they're -- 4 why we're -- they're like part of the evidence against 5 you? 6 A No. 7 Q All right. Do you know who that's a 8 picture of on the top? 9 A No. 10 Q That's not CS? 11 A No. 12 Q And then the last page is just your -- 13 your meme again? 14 A Yes. 15 Q All right. So what's your understanding 16 of how long you've been suspended for posting that 17 meme? 18 A I don't think it was very necessary to be 19 suspended for 30 days for something that was meant to 20 be -- it was just kind of a joke taken too far. 21 Q Did you -- have you talked to your dad 22 about it? 23 A Yes. 24 Q All right. Did you get in trouble? 25 A Yes.</p>	<p style="text-align: right;">Page 92</p> <p>1 write down the answer. 2 A Okay. 3 MR. RHOADS: Yeah, you got to 4 us words. 5 WITNESS A. S. [REDACTED]: Okay. 6 Q (By Ms. Hoernschemeyer:) And did you 7 bring -- do you have a cell phone? 8 A Yes. 9 Q Do you bring it to school? 10 A Yes. 11 Q Do you use it at -- sometimes when you're 12 not supposed to at school? 13 A Sometimes. 14 Q So meaning -- doing you use it sometimes 15 during class? 16 A Yeah, sometimes. 17 Q Do other students like you do that as 18 well? 19 A Yes. 20 Q So while maybe students are not to, 21 they're prohibited from using cell phones in class, 22 they do? 23 A Yes. 24 Q It's kind of natural -- 25 A Yeah.</p>

23 (Pages 89 to 92)

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<p style="text-align: right;">Page 93</p> <p>1 Q -- for students to do that?</p> <p>2 And you're not disputing that students</p> <p>3 showed the meme during the school day?</p> <p>4 A No.</p> <p>5 Q You agree that that happened?</p> <p>6 A Well, I was not at school during the</p> <p>7 time. So...</p> <p>8 Q Do you know one way or the other?</p> <p>9 A But I don't -- I don't believe that it</p> <p>10 was showed around the class. It may have ben shown to</p> <p>11 like a few people in the classroom, but I don't think</p> <p>12 it was shown like in front -- in front of everybody.</p> <p>13 Q You weren't at the high school because</p> <p>14 you were already at AEP?</p> <p>15 A Yeah.</p> <p>16 Q Did you hear -- did anyone tell you that</p> <p>17 they saw it in class at school at the high school?</p> <p>18 A No.</p> <p>19 Q But you believe it was shown by some</p> <p>20 people?</p> <p>21 A Yeah, maybe a few.</p> <p>22 Q And I guess my question is how do you --</p> <p>23 why do you believe that?</p> <p>24 A Because other people had posted it, so I</p> <p>25 don't believe that -- I mean, I can't really say that</p>	<p style="text-align: right;">Page 95</p> <p>1 A Yes.</p> <p>2 Q Did you put it on your Story, this meme?</p> <p>3 A No.</p> <p>4 Q Okay. The friends that are in the group,</p> <p>5 if they put it on their Story, all their friends on</p> <p>6 Snapchat would be able to see it, correct?</p> <p>7 A Yes.</p> <p>8 Q Is that -- am I saying that right?</p> <p>9 A (No audible response.)</p> <p>10 MS. HOERNSCHEMEYER: No further</p> <p>11 questions.</p> <p>12 *****</p> <p>13 REDIRECT EXAMINATION</p> <p>14 QUESTIONS BY MR. RHOADS:</p> <p>15 Q This might be repetitive but I'm not sure</p> <p>16 I got it in.</p> <p>17 Where were you when you created the meme?</p> <p>18 A I was at home.</p> <p>19 Q Did you use any School District property</p> <p>20 to create it?</p> <p>21 A No.</p> <p>22 Q Okay. And what day of the week was that?</p> <p>23 A Saturday.</p> <p>24 Q Okay.</p> <p>25 MR. RHOADS: Thank you. No --</p>
<p style="text-align: right;">Page 94</p> <p>1 it was shown at school, but I know other people had</p> <p>2 seen it through Snapchat. So I'm --</p> <p>3 Q Other people being other students at</p> <p>4 Troy?</p> <p>5 A Yeah.</p> <p>6 Q And how do you know that?</p> <p>7 A Because it was on other people's Snapchat</p> <p>8 Stories.</p> <p>9 Q So it went beyond the group, --</p> <p>10 A Yes.</p> <p>11 Q -- your original group?</p> <p>12 Do you have any idea how many people</p> <p>13 actually saw that meme?</p> <p>14 A I think the pool and this -- in here,</p> <p>15 there was maybe five or six other people.</p> <p>16 Q If it's put on someone's Story, can</p> <p>17 anyone that's friends with that person see it, have</p> <p>18 access to it?</p> <p>19 A Yes.</p> <p>20 Q So if someone has -- how many friends do</p> <p>21 you have on Snapchat?</p> <p>22 A Maybe like 80.</p> <p>23 Q So if you put it on your Story, that</p> <p>24 means those 80 people -- this is just so I understand</p> <p>25 -- would be able to see any picture?</p>	<p style="text-align: right;">Page 96</p> <p>1 nothing further.</p> <p>2 MS. HOERNSCHEMEYER: I would</p> <p>3 like to state for the record the -- just</p> <p>4 for clarification, the page Exhibit 8 or</p> <p>5 Exhibit 3, the meme on page 8 of 10,</p> <p>6 we're not contesting that that was</p> <p>7 created or posted by A█. Just so</p> <p>8 there's no -- and the AS here is not</p> <p>9 A█.</p> <p>10 MR. RHOADS: Oh, well, there</p> <p>11 it is.</p> <p>12 MS. HOERNSCHEMEYER: So we</p> <p>13 didn't want any confusion on that.</p> <p>14 MR. RHOADS: Okay. Good.</p> <p>15 Nothing further. I believe I'm done</p> <p>16 with this witness, and A█ can relax.</p> <p>17 (Thereupon, the witness was</p> <p>18 excused.)</p> <p>19 And I would like to call Chris</p> <p>20 Schaefer, please.</p> <p>21 (Thereupon, the witness was</p> <p>22 sworn.)</p> <p>23 *****</p> <p>24</p> <p>25</p>

24 (Pages 93 to 96)

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<p>1 CHRIS SCHAEFER, 2 of lawful age, produced, sworn, and examined on 3 behalf of the Student, testifies as follows: 4 DIRECT EXAMINATION 5 QUESTIONS BY MR. RHOADS: 6 Q Will you please state your name for the 7 record. 8 A Chris Schaefer. 9 Q Mr. Schaefer, where do you live? 10 A In Hawk Point, Missouri. 11 Q And is that part of the Lincoln County 12 School District? 13 A Yes. 14 Q How long have you lived within this 15 school district? 16 A I'm, it's been, I think, seven years. 17 Q Okay. And how many children do you have 18 who are students of the District? 19 A Just one. 20 Q And is that A [REDACTED]? 21 A Yes. 22 Q Now, just cutting right to the chase, 23 when did you hear about this incident involving A [REDACTED] 24 posting a meme on Snapchat? 25 A It was that Monday or I don't know if it</p>	<p>1 actually can you pick up the binder and let's look -- 2 A Sure. 3 Q -- at Exhibit 4. Can you just say like 4 take a look -- 5 A Okay. 6 Q -- take your time to look at it, but once 7 you're ready, you can answer if you know what that 8 document is. 9 A (Reviewing document.) Yes. 10 Q And is that the letter that you received 11 from the school, -- 12 A Yes. 13 Q -- Dr. Joy Lillard? 14 Okay. So it was your understanding at 15 that time that A [REDACTED] was suspended for ten days for the 16 meme event? 17 A Yes. 18 Q Okay. And did you talk to A [REDACTED] about 19 what he did? 20 A Oh, absolutely. 21 Q All right. And -- I mean, did you -- 22 have you disciplined A [REDACTED] for that? 23 A Yes. 24 Q And -- and what have you told him about 25 the meme that he created on the Snapchat group?</p>
Page 98	Page 100
<p>1 was Monday. It was the day that Dr. Lillard met with 2 A [REDACTED], and then she called me, and we discussed it over 3 the phone. 4 Q Okay. And what did she tell you at that 5 time? 6 A Just that A [REDACTED] had created a meme about 7 another student, and she thought it was inappropriate, 8 and she didn't say anything about suspension, but she 9 said that -- we just kind of discussed the whole 10 situation and what was in the meme and stuff like 11 that. So... 12 Q Did -- did Dr. Lillard describe to you 13 any disruption that was going on at school as a result 14 of the -- 15 A No. 16 Q -- meme, or whatever you want to call it? 17 A No. 18 Q And so then did you receive a letter 19 reflecting her decision to suspend A [REDACTED]? 20 A Yes. 21 Q And do you recall like what the letter 22 said? 23 A It was just real short, stating that he, 24 you know, was suspended for, I believe, ten days. 25 Q All right. I'm going to -- I'll --</p>	<p>1 A I told him that it was inappropriate and 2 that he should never do that again, and I disciplined 3 him by taking his phone away. 4 Q Now, did you at some point become aware 5 that the suspension was being increased beyond ten 6 days? 7 A Yes, I received a subsequent letter. 8 Q All right. And is that -- can you turn 9 to page -- I mean, Exhibit 10. 10 A Okay. 11 Q Are you with us? 12 A Yes. 13 Q All right. Is that the letter that -- 14 where you learned of the extension of the suspension? 15 A Yes. 16 Q And had you met with any school officials 17 in between the ten-day letter from Dr. Lillard and 18 this letter from Dr. Penny? 19 A No. 20 Q Okay. Now, you see at the -- on the 21 third page of the letter toward the top, it refers to 22 notification of law enforcement and the juvenile 23 office. Now, you recall reading that in the letter? 24 A Yes. 25 Q Okay. And has law enforcement contacted</p>

25 (Pages 97 to 100)

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<p style="text-align: right;">Page 101</p> <p>1 you about this?</p> <p>2 A No.</p> <p>3 Q All right. Or the juvenile office?</p> <p>4 A No.</p> <p>5 Q But you agree that posting this was wrong</p> <p>6 by A [REDACTED]?</p> <p>7 A Yes.</p> <p>8 Q So why are you -- why are you appealing</p> <p>9 the suspension?</p> <p>10 A I believe it happened off school premises</p> <p>11 without school resources, and I feel that as parents</p> <p>12 it's our responsibility to discipline him and not the</p> <p>13 school's.</p> <p>14 Q Okay.</p> <p>15 MR. RHOADS: So thank you, Mr.</p> <p>16 Schaefer. Those are the only questions</p> <p>17 I have at this time, but sit tight. You</p> <p>18 might have some --</p> <p>19 MS. HOERNSCHEMEYER: I don't</p> <p>20 have any questions.</p> <p>21 MR. RHOADS: Okay. Well,</p> <p>22 you're done.</p> <p>23 (Thereupon, the witness was</p> <p>24 excused.)</p> <p>25 So I mean, other than just</p>	<p style="text-align: right;">Page 103</p> <p>1 Schaefer family and Mr. Rhoads.</p> <p>2 Student discipline in my opinion is the</p> <p>3 hardest task that a board does, is to decide student</p> <p>4 discipline issues, and you are the final arbiter. Now</p> <p>5 that this matter has been appealed to you. It's your</p> <p>6 decision of what you think would be best in this</p> <p>7 situation.</p> <p>8 I would submit that the Administration</p> <p>9 followed Board policy, followed your disciplinary</p> <p>10 policy, followed your handbook regarding the</p> <p>11 prohibition of cyber bullying. It is prolific in</p> <p>12 today's world, and there is a deep concern when we</p> <p>13 have a student create a picture of another student</p> <p>14 that's dead and an image in a coffin and that image</p> <p>15 went viral, and students showed it around class.</p> <p>16 Students went up to different teachers in different</p> <p>17 class periods out of concern for the CS. CS engaged</p> <p>18 -- it affected him so much he engaged in misconduct</p> <p>19 himself, and which led to concern by your assistant</p> <p>20 principal in the high school for CS's own self care</p> <p>21 and self harm, as well as the mother.</p> <p>22 I think when we have these types of</p> <p>23 matters, you have a superintendent who looked</p> <p>24 holistically at the situation, knew that it was</p> <p>25 significant, but did only additional 13 days of</p>
<p style="text-align: right;">Page 102</p> <p>1 making a closing argument, we're going</p> <p>2 to rest.</p> <p>3 PRESIDENT MILLS: No further</p> <p>4 witnesses?</p> <p>5 MR. RHOADS: No further</p> <p>6 witnesses.</p> <p>7 PRESIDENT MILLS: All right.</p> <p>8 Yes, so the attorneys will have</p> <p>9 the opportunity to present closing oral</p> <p>10 arguments, if they desire, and do you</p> <p>11 arm wrestle to see who goes first? I'm</p> <p>12 not sure.</p> <p>13 MS. HOERNSCHEMEYER: Do you</p> <p>14 want to arm wrestle?</p> <p>15 MR. RHOADS: I'd rather not</p> <p>16 arm wrestle you in front of all these</p> <p>17 people.</p> <p>18 MS. HOERNSCHEMEYER: Okay.</p> <p>19 I'll make this brief. I know you've</p> <p>20 been here for a few hours.</p> <p>21 *****</p> <p>22 CLOSING ARGUMENT</p> <p>23 BY MS. HOERNSCHEMEYER:</p> <p>24 I thank you for your time today and your</p> <p>25 service to your District, and as well as to the</p>	<p style="text-align: right;">Page 104</p> <p>1 discipline.</p> <p>2 While your student -- while A [REDACTED] still</p> <p>3 here at Troy has a program that most schools do not in</p> <p>4 Missouri and allows the student to stay connected to</p> <p>5 the District, to come to school for so many hours a</p> <p>6 day, to have access to online courses, to keep up the</p> <p>7 grades, and to keep on tract with their peers as they</p> <p>8 move forward, and to allow the -- Superintendent Penny</p> <p>9 only doing an additional 13 days, which in his</p> <p>10 educational and professional opinion is the best for</p> <p>11 this situation.</p> <p>12 It's a reasoned approach. It's meter</p> <p>13 discipline, and in context of your work policies.</p> <p>14 I think the issue here is did Dr. Penny</p> <p>15 and Assistant Principal Lillard have the authority to</p> <p>16 even discipline for this conduct, and the answer is</p> <p>17 yes because there's a connection to the school. The</p> <p>18 victim was a student, everyone at the school was</p> <p>19 talking about it in multiple different classes. It</p> <p>20 ultimately disrupted different classes, but it ended</p> <p>21 up with physical assault in a chokehold. That's the</p> <p>22 definition of having a disruption in your school</p> <p>23 environment when we have situations where we're</p> <p>24 actually taking a picture of a student in a coffin,</p> <p>25 bringing that message from your phone into the school</p>

26 (Pages 101 to 104)

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<p style="text-align: right;">Page 105</p> <p>1 environment and having everyone look at it and it just 2 gets repeated, repeated, and repeated. 3 So based on that, I think it's 13 days of 4 additional suspension for your high school principal 5 is what your superintendent asked that you uphold 6 today. 7 Thank you. 8 PRESIDENT MILLS: Mr. Rhoads. 9 MR. RHOADS: Thank you. And I 10 also thank you for your time today, and 11 I'll not to take too much more of it. 12 BY MR. RHOADS: 13 And I want to be clear that the Schaefer's 14 and I, we're not saying that what A [REDACTED] did was okay or 15 even defensible. Clearly posting a meme that was a 16 poor choice. It was in bad taste. Okay. We're not 17 arguing that. 18 The reason we're here is a legal 19 principle, and you know, you might be aware that cases 20 like this can be appealed to courts, have been 21 appealed to courts, and there's some -- there are some 22 legal rules that have come out of these cases. 23 One is that school officials cannot 24 Constitutionally reach out to discover, monitor or 25 punish any type of out-of-school speech. There are</p>	<p style="text-align: right;">Page 107</p> <p>1 And I want to just summarize some key 2 facts here. A [REDACTED] made a meme on Snapchat. He posted 3 it on private group over the weekend while he was at 4 home not using school resources. 5 The meme, it was tasteless, offensive. 6 Okay. But it was also silly. It was stupid. It was 7 not meant to be taken seriously. 8 The -- and with all due respect, a lot of 9 the testimony about the disruption that happened in 10 the school was vague and it was not really 11 corroborated. What we -- the only objective evidence 12 that we have is that e-mail in Exhibit 1. And what 13 that e-mail -- that e-mail tells us a few things that 14 I think are important here. 15 One is that when CS confronted LP, he, by 16 CS's own statement, was confronting LP about 17 statements or comments that LP was making. There was 18 no reference to A [REDACTED], no reference to the Snapchat 19 folks. Okay. 20 The teacher who wrote the e-mail, it 21 appears, and I'll let you exercise your judgment, but 22 it appears to be an FYI to Dr. Lillard. You might 23 want to look further into this, but the key statements 24 are we have things under control and I have not 25 written them up.</p>
<p style="text-align: right;">Page 106</p> <p>1 limits, and I think even the -- even the witnesses for 2 the Administration testified to that. 3 And so the question is was the connection 4 to the school in this case sufficient to justify 5 school discipline of off-campus speech? 6 There are generally in this -- in this 7 circuit, there are two ways to warrant punishment of 8 off-campus speech. One is if it's a true threat, and 9 the other one has to do with substantial disruption. 10 And I think we've established that the 11 true threat is off of the table, not just because -- 12 well, because the school never disciplined it as a 13 threat. It was always about cyber bullying. Okay. 14 So the test would be the substantial 15 disruption test, which has been stated in this circuit 16 has two parts. The speech has to be reasonably 17 calculated to reach the school environment, and it has 18 to be so egregious as to pose the serious safety risk 19 for other substantial disruption in that environment. 20 So I think Ms. Hoernschemeyer is correct 21 about what the issue is today, and I just think that 22 we see that issue differently. Our case today is 23 that, you know, what he posted online was not so 24 substantially disruptive to the school to warrant 25 punishment.</p>	<p style="text-align: right;">Page 108</p> <p>1 So that evidence alone does not appear to 2 justify school discipline. 3 Now, we have -- there are cases in the 4 circuit where a student is Instant Messaging another 5 student, says he has a .357 and he's naming groups of 6 students and individual students who he's going to 7 shoot, and the parents are calling the school, 25 to 8 30 parents calling the school. It occupies all the 9 principals' and the superintendent's time for ten 10 days. The school has to hire additional security. 11 And this is a case that happened not far from here in 12 Hannibal, and your law firm was on that case. 13 And in that case, of course, the court 14 said okay, yes, and the school can reach out and 15 punish this because this is really affecting the 16 school. 17 But there are other cases such as one 18 that happened in Minnesota where a middle student 19 posted on a Facebook -- on her Facebook page about 20 hating a hall monitor. She was given a detention 21 because somebody showed that post to the principal, 22 and then she posted, "I want to know who the 'F' told 23 on me," and then she was suspended one day in-school 24 for that. And that went to court, and the court on 25 that said that that was not enough of a nexus with the</p>

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<p style="text-align: right;">Page 109</p> <p>1 school to justify punishment. Again, you have her 2 talking about a hall monitor and talking about another 3 student, and arguably making a threat against that 4 student. But the court did not find that warranted 5 punishment. 6 And so what I'd ask you to do as members 7 of the Board on this legal question is decide this is 8 more like the Hannibal case or is this more like the 9 Minnesota case, and I'm asking you to find that under 10 these facts, the disruption to the school was not so 11 substantial as to allow the school to reach out and 12 punish A [REDACTED] for what he did at home. He's been 13 punished by his parents. 14 We're not here today because he's getting 15 away with it or the parents don't take it seriously. 16 We're just here because the parents think that this 17 ought to be their thing, to punish their kid for what 18 he does, you know, off school grounds. 19 So again, not to diminish the importance 20 of cyber bullying or the difficulty of the job that 21 the Administration has clearly, we're not questioning 22 anyone's bad faith here, but I'm -- but what I'm 23 asking you to do as members of the Board is to 24 exercise your own judgment. 25 We're here. The Schaefer's are citizens,</p>	<p style="text-align: right;">Page 111</p> <p>1 CERTIFICATE OF REPORTER 2 I, PATSY A. MAYBERRY, Professional Court 3 Reporter and Notary Public within and for the State of 4 Missouri, before whom the foregoing proceeding was 5 taken, do hereby swear that: the aforementioned was 6 held at the time and in the place previously 7 described; the proceedings were taken down in 8 stenographic notes by me and transcribed by me, or 9 under my supervision, to the best of my ability; and 10 that the aforementioned represents a true and accurate 11 transcript of said proceedings. 12 IN WITNESS WHEREOF, I have hereunto set my 13 hand. 14 _____ 15 Patsy A. Mayberry, Court Reporter 16 Notary Public, State of Missouri 17 My Commission Expires: 18 August 26, 2022 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 110</p> <p>1 taxpayers, voters. They have as much of a stake in 2 this as the Administration has. You know, the Board, 3 I'm sure you understand you don't have to -- you can 4 exercise your own judgment and you are here as the 5 neutral decision-makers. 6 So I'm asking you to find under -- under 7 the facts that in evidence that the school student 8 disciplin -- school discipline of this off-campus 9 behavior is not justified. 10 So thank you. 11 PRESIDENT MILLS: All right. 12 The Board will deliberate on this 13 matter in executive session. We'll 14 notify both attorneys of the decision, 15 written findings of fact, and conclusions 16 of law of the Board will also be 17 provided. 18 So this adjourns our meeting. 19 MR. RHOADS: Thank you. 20 (Thereupon, the proceedings 21 concluded at 4:50 p.m.) 22 o8o 23 24 25</p>	

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ALARIS LITIGATION SERVICES**www.alaris.us****Phone: 1.800.280.3376****Fax: 314.644.1334**

From: Brittany Hosmer <HOSMERB@troy.k12.mo.us>
Sent: Thursday, November 1, 2018 2:52 PM
To: Joy Lillard
Subject: Fwd: CS and LP

>>> Brittany Hosmer 10/8/2018 11:20 AM >>>

Hello!

I wanted to give you an update about two kids currently in my 4th hour- L [REDACTED] P [REDACTED] and G [REDACTED] S [REDACTED] C [REDACTED] walked into my class and put L [REDACTED] into a choke hold- we have things under control, I thought he was joking but looked pretty upset. L [REDACTED] has been making comments saying that C [REDACTED] died apparently. I have not written them up, but you may want to have a conversation with them both.

I have talked with C [REDACTED]

Thanks,

Brittany Hosmer



TRCO1819 TROY R-III SCHOOL DISTRICT ???/??? J1222BEVERLY

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[Utilities](#)
[Management](#)

Favorites (Select Item) 380 [Display Menus Left Side](#)

Student Data Links

Julia Beverly

STUDENT CONTACT SUMMARY INFORMATION

Name: S [REDACTED], A [REDACTED] Grade: 11 Counselor: Enrollment Date: 10/01/18 Code: 11
 ID: [REDACTED] Date Of Birth: [REDACTED] Gender: Male Site: TRHS

Done Edit Cancel Actions

Student: S [REDACTED], A [REDACTED] M [REDACTED] *Court Order: [REDACTED] Student Release [REDACTED]
 Preferred Name: [REDACTED] CO Against: [REDACTED]
 Previous Last Name: [REDACTED] State ID: [REDACTED]
 Gender: Male Locker: [REDACTED]
 State: White Case-Manager: [REDACTED]
 Ethnicity/Race: [REDACTED] Dual Enrolled: [REDACTED]
 Primary Enrollment 2018-2019: [REDACTED] Home Telephone-2: [REDACTED]
 Home Telephone-1: [REDACTED] Home District: [REDACTED]
 911 Address: [REDACTED] [Map This Address](#)
 Mailing Address Override: [REDACTED]

Household Parent 1: Schaefer, Tammy L. (Mother) Cell: [REDACTED] Parent-Portal Agree-Date: 6/12/2013 Email: [REDACTED]
 Work: Company Name: [REDACTED] Email: [REDACTED]
 Household Parent 2: Schaefer, Chris A. (Father) Cell: [REDACTED] Parent-Portal Agree-Date: 6/12/2013 Email: [REDACTED]
 Work: Company Name: [REDACTED] Email: [REDACTED]
 Am1Bus: [REDACTED]
 Pm1Bus: [REDACTED]
 TmsCmt: [REDACTED]

Nonresident Parents: None

Emergency Contacts:

Allow to Leave	Name	Relationship	Home-Tel	Work-Tel	Cell	Address	Comment
Y	P [REDACTED], J [REDACTED]	Family Friend	[REDACTED]				

Other Members: None



10/18/18

TROY R-III SCHOOL DISTRICT

TRCO-1819

09:27

Profile Data Report

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ID	Student	Gr	G	Site	Counselor	Advisor	Enrolled	Wthdrn
	[REDACTED], A. [REDACTED] M. [REDACTED] 11 M TRHS						10/01/18	

Incident:	Date	Loc/Bus	Teacher	Action:	Date	Served Dt	Days	Functional
CYBR	10/11/18		Lillard, Joy	OSSA	10/11/18	10/11/18	10.000	

=>CYBER BULLYING ->OUT OF SCHOOL SUSPENSION FOR ANY NUMBER

Note: A [REDACTED] S [REDACTED] admits to being in a snapchat group text and voice stating " C [REDACTED] is dead." He wrote about it and spoke about it while in the chat room with other students. He also admits to talking about creating memes about C [REDACTED] being dead. A [REDACTED] did state he took it too far. He stated he made a meme with the student's picture and RIP. He also, cut and paste the students picture and put it in a coffin stating send only good vibes and added a sad face emoji and hands in prayer position. A [REDACTED] then told people to post these memes on their stories and it went viral around the school. 10 days of out of school suspension to be served at AEP. Referral to the Superintendent of Schools.

Conference with student.

Joy Lillard

DDIS	10/01/18	Richardson,	OS30	10/01/18	30.000
------	----------	-------------	------	----------	--------

=>DISRESPECTFUL/UNCOOPERATIVE

=>OUT OF SCHOOL SUSPENSION FOR 30 DAYS

10/18/18

09:27

TROY R-II SCHOOL DISTRICT

Profile Data Report

TRCO-1819

Page 3

Note: 10/15/18

Dear Mr. and Mrs. Schaefer:

Please allow this correspondence to serve as follow-up to a suspension appeal conference held on Friday, October 12, 2018. The conference was held at your request to appeal a long term discipline determination regarding your son, A [REDACTED] M [REDACTED] S [REDACTED].

Upon further review and as communicated with you via email on October 15, I have determined the additional suspension as outlined in correspondence dated October 5, 2018 will remain in effect. Therefore, A [REDACTED] is subject to additional suspension of twenty (20) school days, beginning October 15 and continuing through November 13, 2018.

Should you have questions regarding this determination, please contact my office.

10/5/18

I regret to inform you that your son, " [REDACTED] M [REDACTED] S [REDACTED], has been suspended from school for an additional 20 school days effective October 15, 2018....Due to the nature of the misconduct, it is my decision to suspend A [REDACTED] from school for an additional 20 school days effective October 15, 2018, and continuing through November 13, 2018.....no student shall be readmitted or permitted to enroll or otherwise attend school following a long-term suspension from this or any other school district until the District has conducted a conference to review the conduct.....Other than to attend the District's Academic Educational Placement (AEP) Program or conferences with the Superintendent of Schools and/or his designee, A [REDACTED] is not to be on District property or within 1,000 feet of any District-related events until the date he is eligible to return to school....If you desire a hearing, please notify my office in writing within five (5) business days.

Disrespectful Conduct Directed at a Staff Member: A [REDACTED] sent an inappropriate picture of a nude male bottom to a staff member through the Remind App.

Conferenced with student. Student assigned 10 days OSS beginning today October 1, continuing through October 12th. Due to the serious nature of this infraction, this referral has been forwarded to the Superintendent of Schools for review. Telephoned parent.

Johnathon White

DCEL	11/20/17	Wood, Whitney	ASD	11/20/17	0.000
=>CELL PHONE VIOLATION		=>AFTER-SCHOOL DETENTION			

Note: A [REDACTED] continues to use his cell phone, almost every class, though he has been warned to put it away. 40 minute detention to be served on 11/27/17.

Conference with student.

Joy Lillard

Official Transcript of: TROY BUCHANAN HIGH SCHOOL

1190 OLD CAP-AU-GRIS, TROY MO 63379 (636) 462-5148

Student: S [REDACTED], A [REDACTED] M [REDACTED] State-ID: [REDACTED] DOB: [REDACTED] Male Grade: 11

Parent: Tammy/Chris Schaefer / [REDACTED]

Anticipated Graduation: 05/20

Curriculum By Year:

Year: 2016-2017	Sem1	Sem2	Credit
EL:9TH ACADEMIC LAB	A	A	1.000
EL:ALGEBRA MATH STRATE	D		0.500
EN:ENGLISH 1	C-	C-	1.000
FA:CONCERT BAND	A	A	1.000
HL:HEALTH		A-	0.500
MA:ALGEBRA 1	C+	C	1.000
PA:INTRO TO MULTI-MEDI	A-		0.500
PA:AG SCIENCE 1	B	B+	1.000
PE:NINTH GRADE PE BOYS		A	0.500
SC:PHYSICAL SCIENCE	B-	D+	1.000
SS:AMERICAN HISTORY 18	A-	A	1.000
GPA	Year: 2.800	Accum: 2.800	
	(Accum Rank: 284 of 507)		
Credits	Year: 9.000	Accum: 9.000	
Absent: 66.38	Tardy:		

Year: 2017-2018	Sem1	Sem2	Credit
EL:10TH ACADEMIC LAB	B+	A	0.500
EL:10TH ACADEMIC LAB	B+	A	0.500
EL:DRIVERS EDUCATION	A-		0.500
EN:ENGLISH 2	C+	D-	1.000
FA:CONCERT BAND	A-	A-	1.000
MA:GEOMETRY	D-	F	0.500
PA:WEB DESIGN/MULTIMED	D		0.500
PA:DESKTOP PUBLISHING		B	0.500
PE:BOYS WGT LIFT/PHY F	B	A-	1.000
PF:PERSONAL FINANCE		C+	0.500
SC:BIOLOGY	D+	C-	1.000
SS:WESTERN CIVILIZATIO	B-	C	1.000
GPA	Year: 2.047	Accum: 2.436	
	(Accum Rank: 309 of 485)		
Credits	Year: 8.500	Accum: 17.500	
Absent: 76.28	Tardy:		

Curriculum By Dept:

Electives	English
9TH ACADEMIC LAB 1617 A A	ENGLISH 1 1617 C- C-
ALGEBRA MATH STRATE 1617 D	ENGLISH 2 1718 C+ D-
10TH ACADEMIC LAB 1718 B+ A	Health
10TH ACADEMIC LAB 1718 B+ A	HEALTH 1617 A-
DRIVERS EDUCATION 1718 A-	Practical Arts
Fine Arts	INTRO TO MULTI-MEDI 1617 A-
CONCERT BAND 1617 A A	AG SCIENCE 1 1617 B B+
CONCERT BAND 1718 A- A-	WEB DESIGN/MULTIMED 1718 D
Mathematics	DESKTOP PUBLISHING 1718 B
ALGEBRA 1 1617 C+ C	Personal Finance
GEOMETRY 1718 D- F	PERSONAL FINANCE 1718 C+
Physical Education	Social Studies
NINTH GRADE PE BOYS 1617 A	AMERICAN HISTORY 18 1617 A- A
BOYS WGT LIFT/PHY F 1718 B A-	WESTERN CIVILIZATIO 1718 B- C
Science	
PHYSICAL SCIENCE 1617 B- D+	
BIOLOGY 1718 D+ C-	
Credit(Summary) :	Min.Req. Completed Needed
Electives	13.000 3.000 + 2.000 8.000
English	4.000 2.000 2.000
Fine Arts	1.500 2.000 DONE
Health	0.500 0.500 DONE
Mathematics	3.000 1.500 1.500
Personal Finance	0.500 0.500 DONE
Physical Education	1.500 1.500 DONE
Practical Arts	1.000 2.500 DONE
Science	3.000 2.000 1.000
Social Studies	3.000 2.000 1.000
Total:	31.000 17.500 13.500

Const State: Const US:

Superintendent:

Dr. Mark Penny

Code-Description

** Present Enrollment

Principal:

Dr. Jerry Raines

Counselor:

Registrar:

10/11/2018 THU 13:55 FAX 6364625149 TBHS →→ Central Office

002/019

STUDENT INCIDENT ACCOUNT

STUDENT'S NAME A [REDACTED] S [REDACTED]

GRADE 11

TEACHER

DATE: 10/11

BACKGROUND AND REASON SENT TO THE OFFICE:

Posted a picture of C [REDACTED] S [REDACTED] and said R.I.P. Also told a few other people to post it. A [REDACTED] M. [REDACTED] said it would be funny to act like A [REDACTED] (C [REDACTED] is dead) created a couple of pictures. A picture of A [REDACTED] with pre-workout. T [REDACTED] also has a picture of C [REDACTED] with pre-workout which he posted. I made a picture of C [REDACTED] on a weight bench that said R.I.P. A [REDACTED] M. [REDACTED] was the first to post it along with me and T [REDACTED]. T [REDACTED] also posted a picture of C [REDACTED] in a funeral home along with a handful of other random people. I saw the picture of C [REDACTED] in the funeral home and edited it but never posted it.

SIGNED A [REDACTED]

Student's Name

DATE

EXHIBIT

tabbles

3

10/11/2018 THU 13:55 FAX 6364625149 TBHS →→ Central Office

0003/019

2

STUDENT INCIDENT ACCOUNT

STUDENT'S NAME A [REDACTED] S [REDACTED]

GRADE _____

TEACHER _____

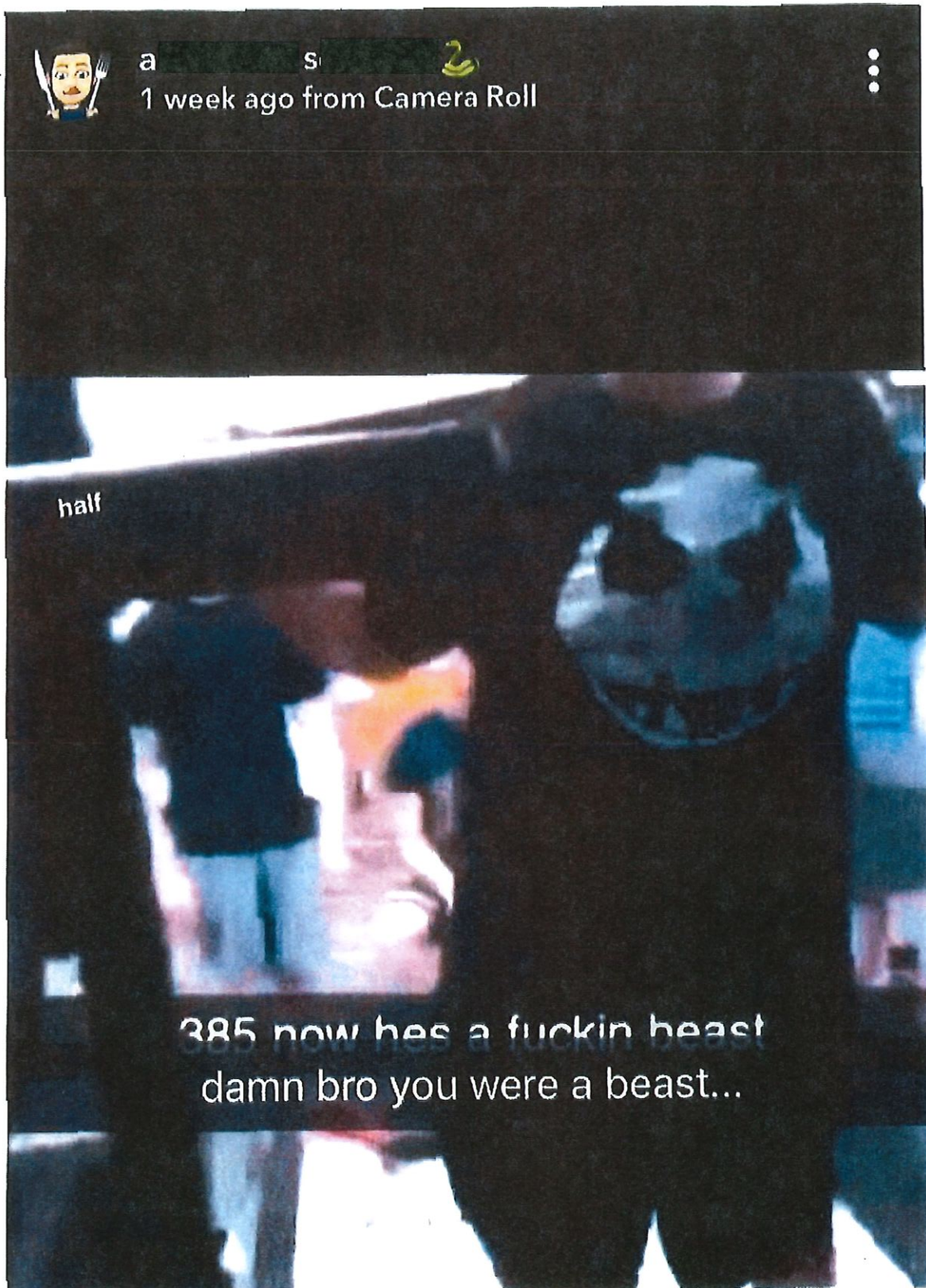
DATE: 10/11

BACKGROUND AND REASON SENT TO THE OFFICE:

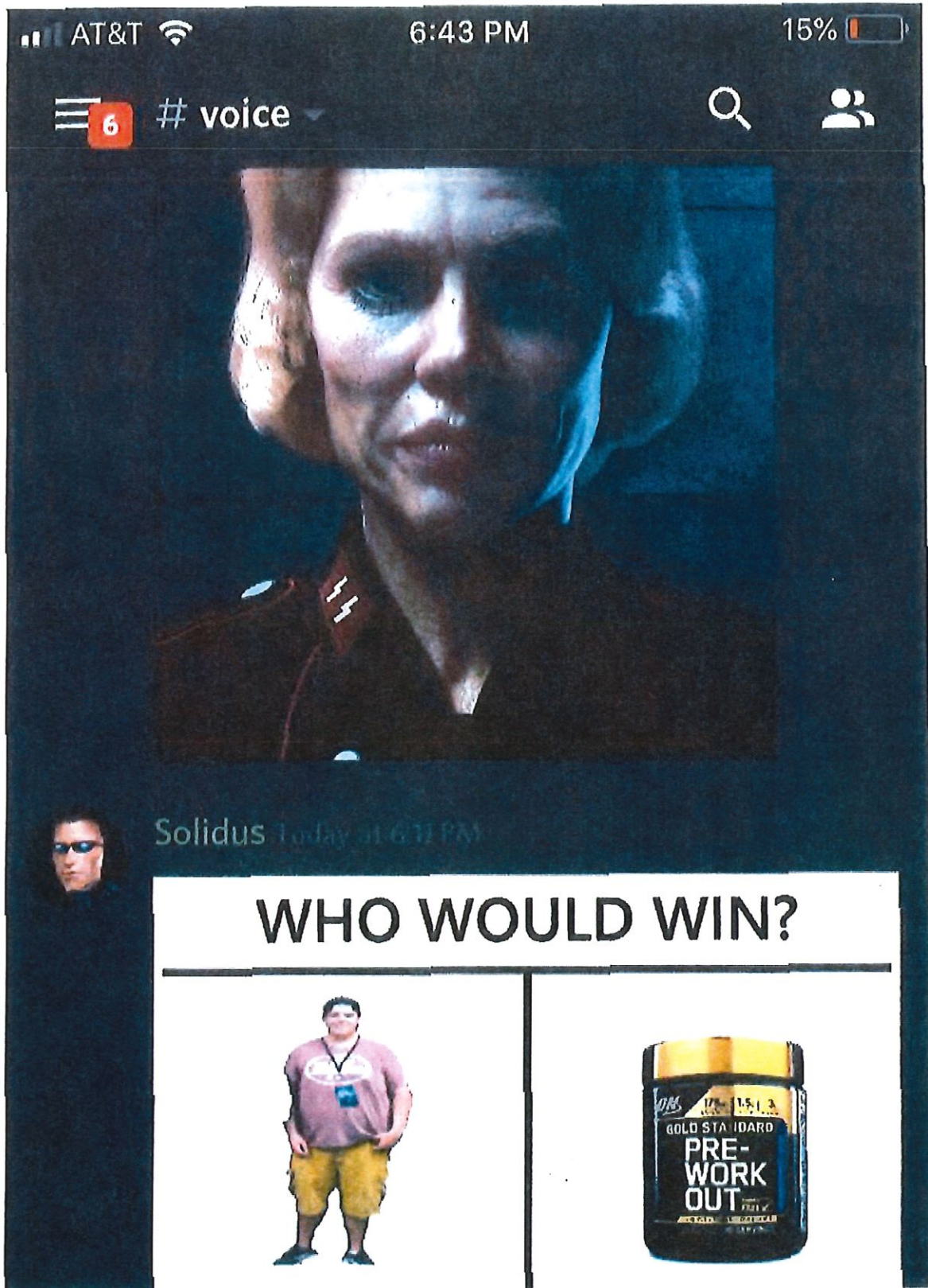
~~I~~ edited the picture of [REDACTED] in the funeral home to say "come see [REDACTED] positive vibes" but never posted it to the public or meant for it to be public. I also put a sticker of [REDACTED] in the coffin.

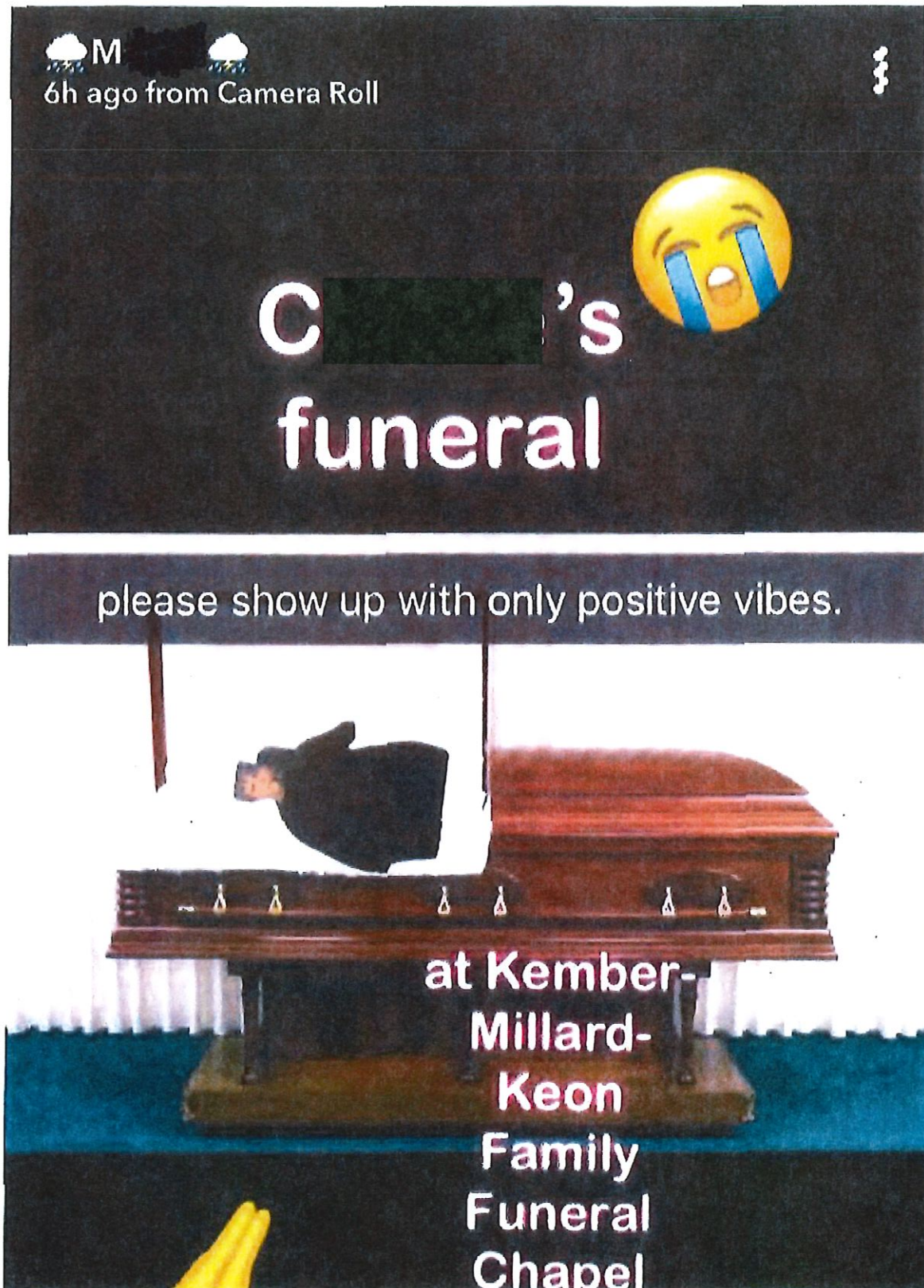
SIGNED A [REDACTED] S [REDACTED] DATE _____
Student's Name

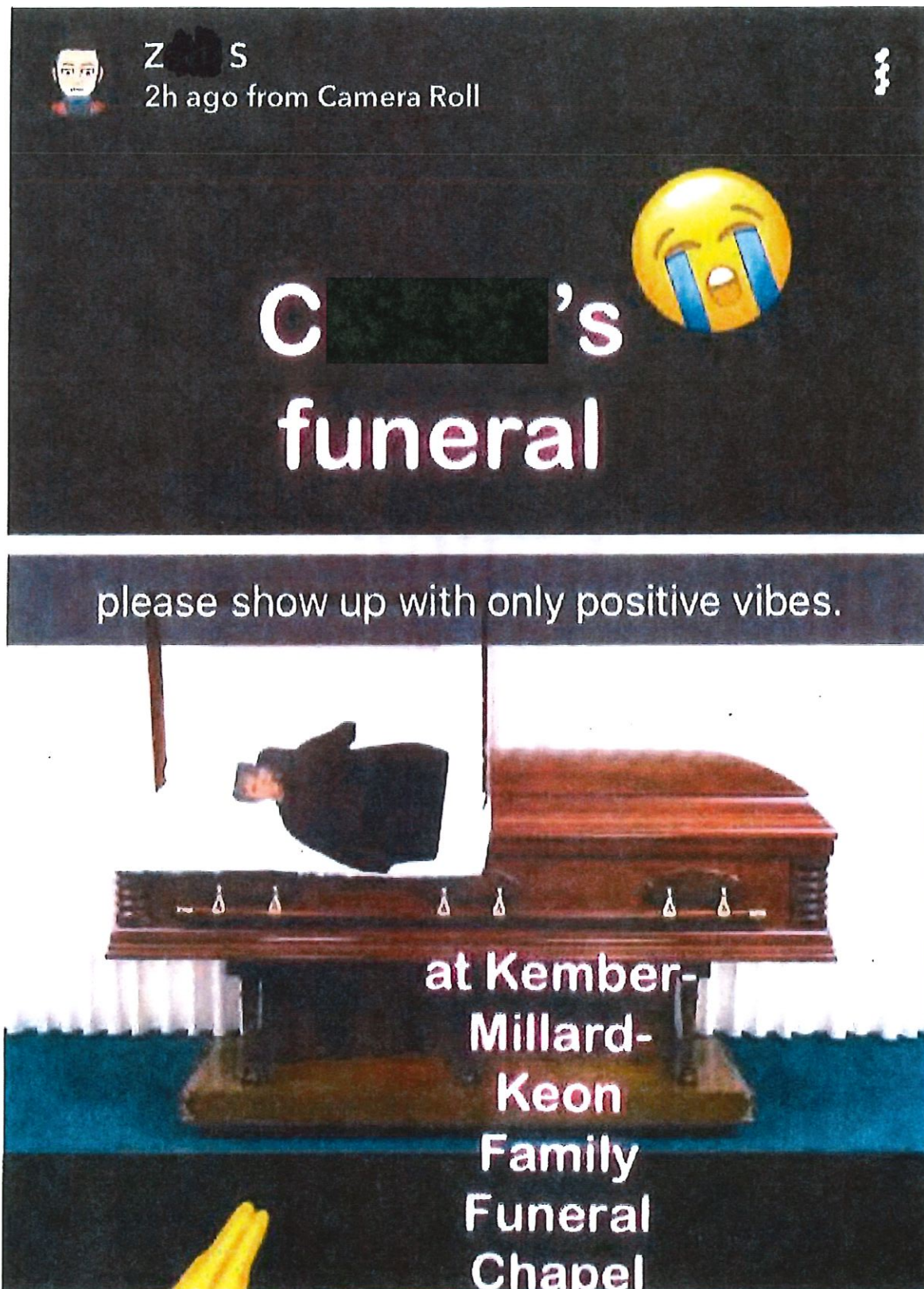
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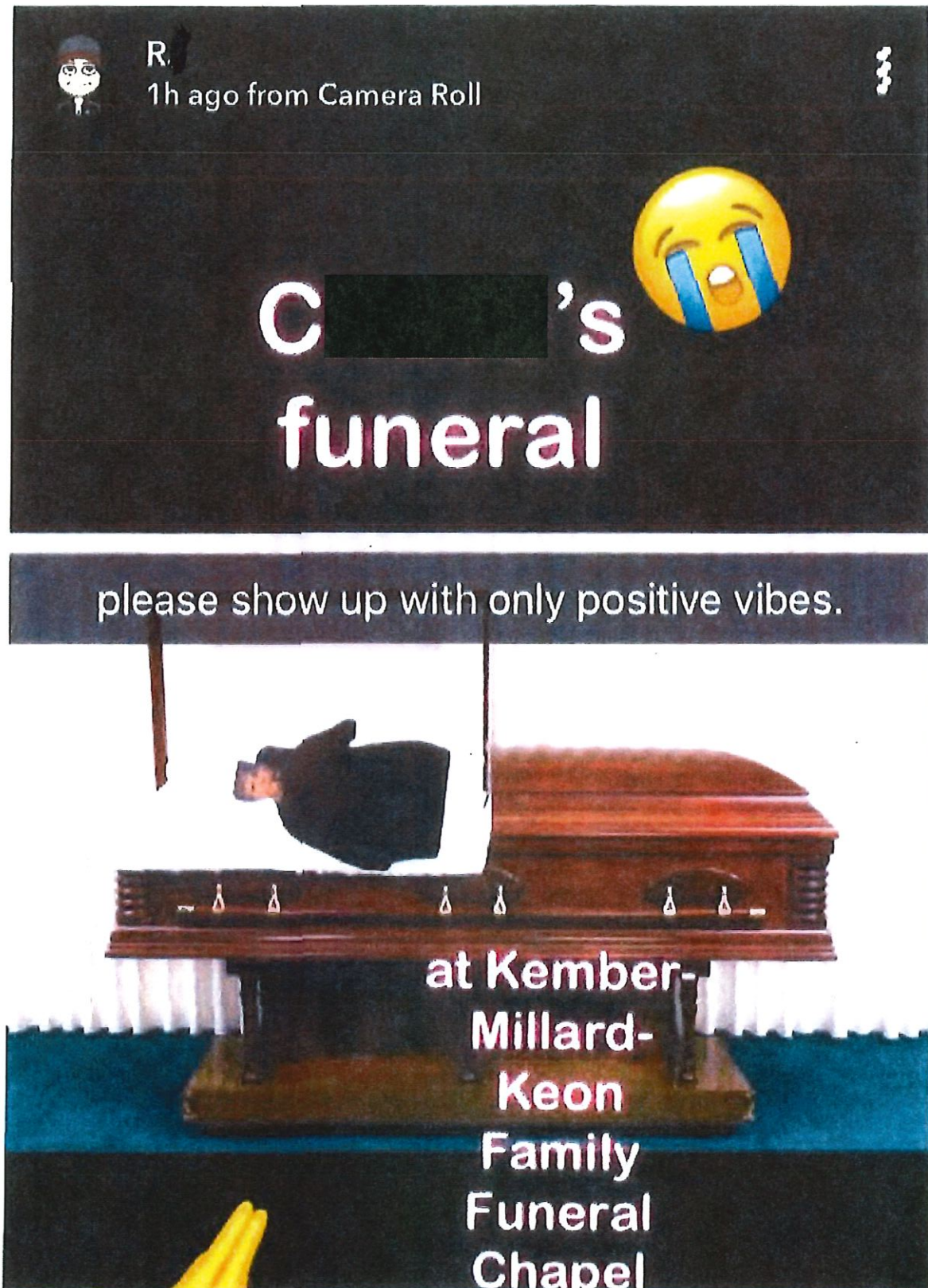


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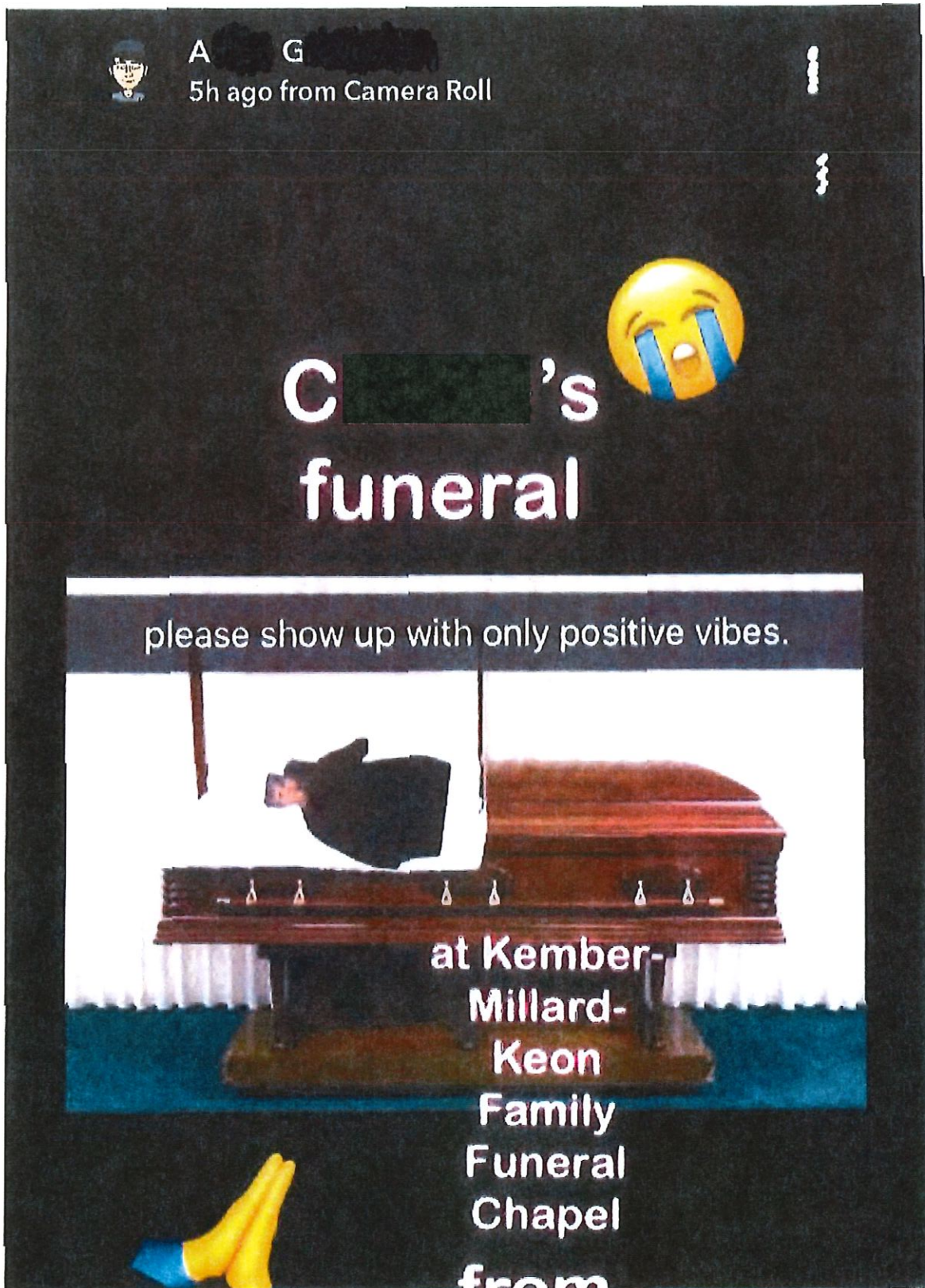




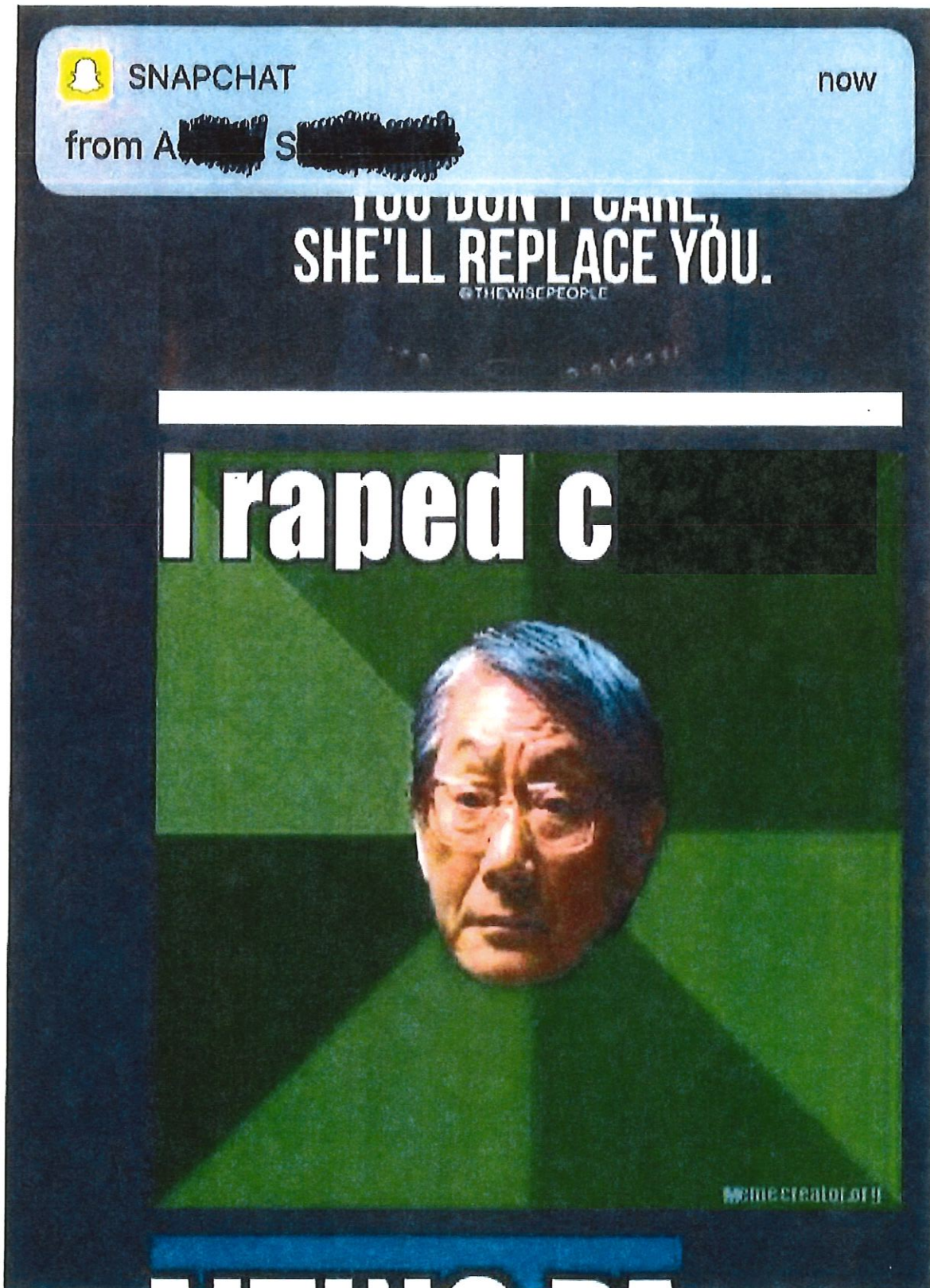


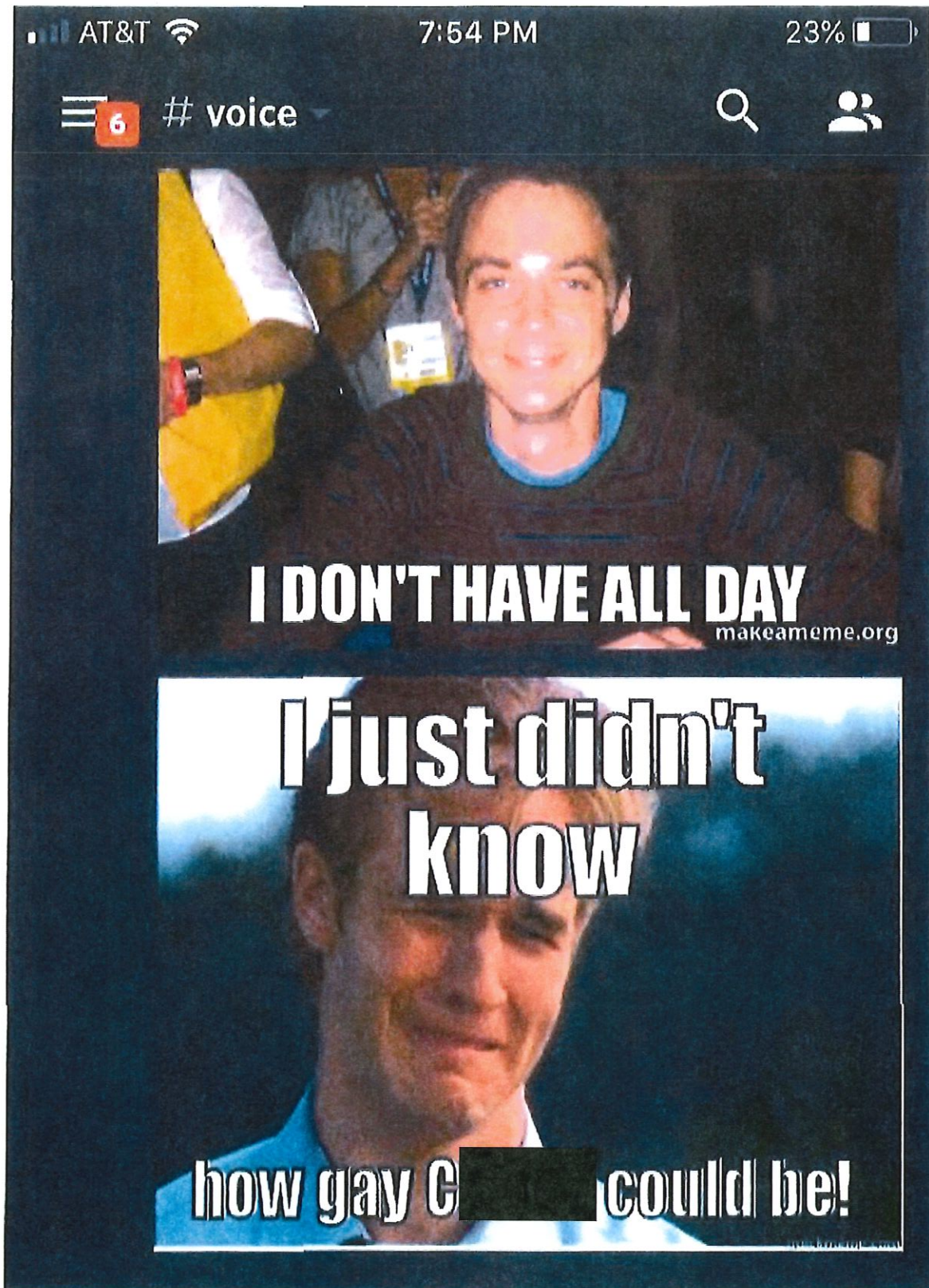


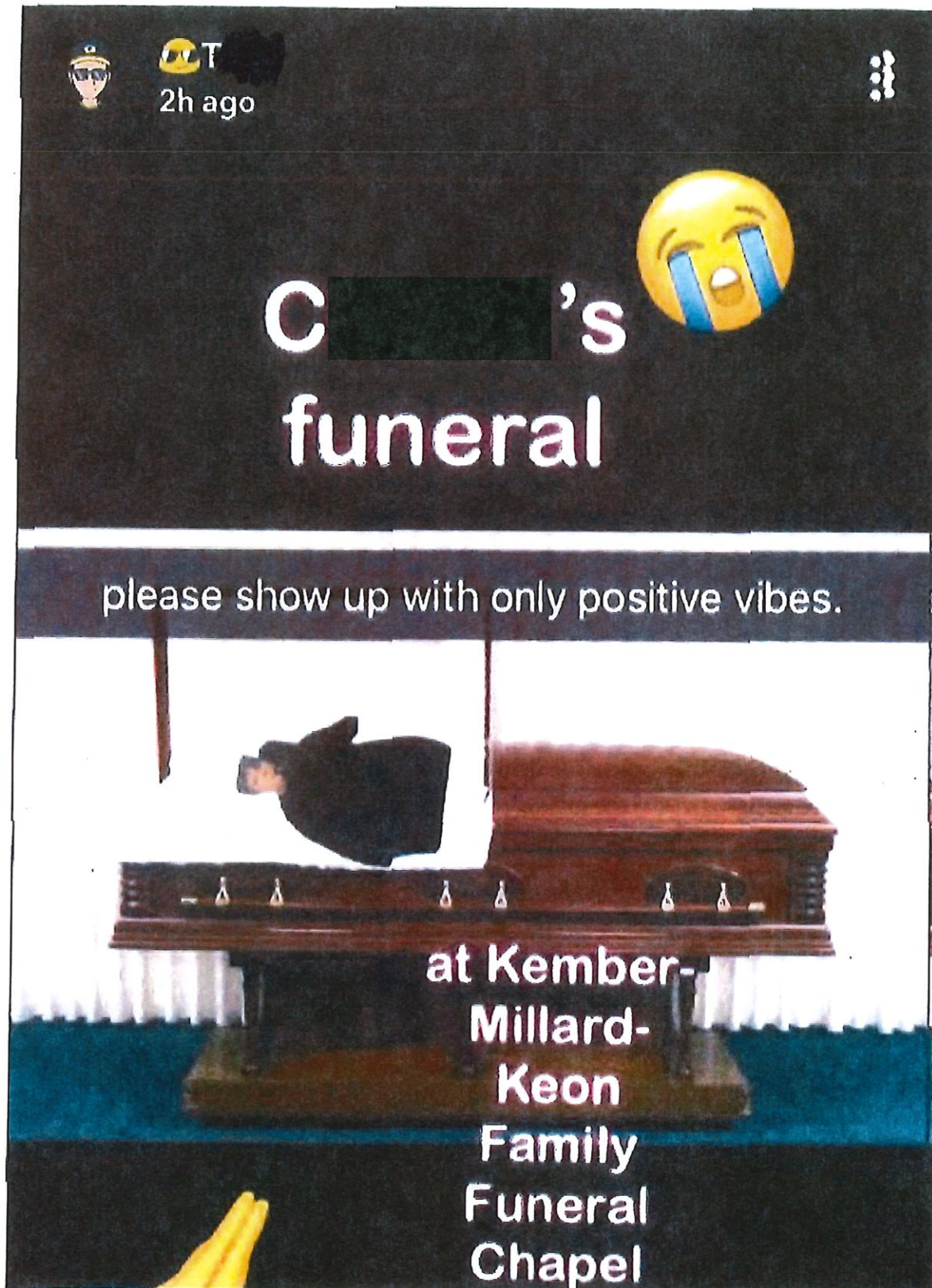
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TROY BUCHANAN HIGH SCHOOL
1190 OLD CAP-AU-GRIS
TROY, MO 63379
(636) 462-5148

10/12/2018

TAMMY/CHRIS SCHAEFER

Student: A [REDACTED] M [REDACTED] S [REDACTED] (Grd:11)

Dear TAMMY/CHRIS SCHAEFER

This letter is to inform you of a disciplinary incident involving A [REDACTED]. A suspension from school starting 10/14/18 through 10/24/18 will be necessary in this case. As a result of this suspension, A [REDACTED] has been referred to the Superintendent and may return to school upon the Superintendent's decision. Your attention to this matter and cooperation in the future is greatly appreciated. If I can answer any questions or help in any way with this or any other matter, please feel free to call.

***A [REDACTED] is not to be on school property at any time until the date he/she is eligible to return to school.

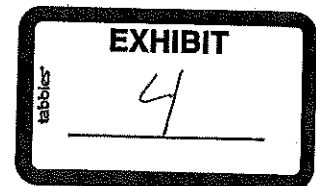
Sincerely,

Dr. Joy Lillard

TBHS Administration

cc: Dr. Jerry Raines

Dr. Mark Penny



Incident Time	Loc/Bus	Teacher	Recorded	Rec.By	Action	Days	Served	Dt
CYBR 10/11/18		Lillard Joy	10/11/18	JQ4	OSSA 10/11/18	10.00	10/11/18	

NOTE : A [REDACTED] S [REDACTED] admits to being in a snapchat group text and voice stating "C [REDACTED] is dead." He wrote about it and spoke about it while in the chat room with other students. He also admits to talking about creating memes about C [REDACTED] being dead. A [REDACTED] did state he took it too far. He stated he made a meme with the student's picture and RIP. He also, cut and paste the students picture and put it in a coffin stating send only good vibes and added a sad face emoji and hands in prayer position. A [REDACTED] then told people to post these memes on their stories and it went viral around the school. 10 days of out of school suspension to be served at AEP. Referral to the Superintendent of Schools.

Troy Buchanan High School



2018 - 2019 Student Handbook

Board Approved: July 17, 2018

Policies, Regulation, and Forms may be amended by the R-III Board of Education at their sole discretion.

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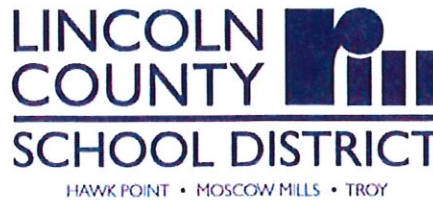
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Mark S. Penny, Ed.D.
Superintendent of Schools



Jerry Raines, Ed.D., Principal
Troy Buchanan High School

Principal's Statement

It is with great enthusiasm that I welcome you to the 2018-2019 school year! The Troy Buchanan High School administration, faculty, and staff look forward to seeing you on the first day of school, Tuesday, August 14th, 2018. The start of a new school year is always exciting and provides each of us with an opportunity to redefine ourselves and to adjust our focus to the things that are most important to each of us. As the principal of TBHS, I find it very important to focus on student learning as well as the educational process that every student receives here at TBHS; I find it very important to focus on building positive relationships with all students; I find it very important to lead TBHS into the world of 1 to 1 technology as we strive to become the premier high school in the state of Missouri. I hope you are looking forward to the school year with the same anticipation and excitement that I am and that the things that are important to you are running parallel to the things that are important to me.

Our mission is to empower all students with the knowledge and skills to maximize their full potential in a changing technological society. This Student/Parent Handbook, developed by administrators, teachers, parents and students, lists Troy Buchanan High School's core beliefs, policies and procedures, as well as the wide array of resources to help you accomplish the lofty goals of this mission. It serves as a guide or road map for all members of the school community. I encourage you to familiarize yourself with its contents. I also ask that you share it with your parents.

As you begin this year I want you to know that you are attending an excellent academic institution, rich in tradition. It is staffed with a highly qualified faculty that is committed to providing you with the most complete learning experience possible. Listen attentively to your teachers and learn from them. I encourage you to follow "The Trojan Way" by being respectful, responsible, safe and a learner. As the school year begins, remember, you will get out of it what you put into it. Best wishes for a productive and enjoyable year.

Proud To Be R3,

Dr. Jerry Raines

Jerry Raines Ed.D.
Principal, TBHS

TROY BUCHANAN HIGH SCHOOL MISSION STATEMENT: Our mission is to empower all students with the skills, knowledge, and responsibility to maximize their full potential in a changing technological world.

TROY BUCHANAN HIGH SCHOOL VISION STATEMENT: In partnership with students, parents, and community, Troy Buchanan High School will provide a secure learning environment that inspires students to strive for academic excellence: one that produces moral citizens, creative problem solvers, and critical thinkers.

CAPSTONE STATEMENT: "Developing Leaders Today for Success Tomorrow"

SCHOOL CONTACT INFORMATION:

Troy Buchanan High School

Address: 1190 Old Cap Au Gris Road
Troy, MO 63379

School Hours: 7:30 a.m. - 2:30 p.m.
Office Hours: 6:45 a.m. - 3:45 p.m.

Phone: (636) 462-5148
Fax: (636) 462-5149

Website: www.troy.k12.mo.us
The District's website offers a wealth of information about the Lincoln County R-III School District, including school closing and delays, District resources, Board Policy, student handbooks, school contact information, Comprehensive School Improvement Plan (CSIP), parent web portal and teacher contact information.

School App: The Lincoln County R-III School District has a FREE mobile app available in Google Play or the App Store. The R-III App is convenient and customizable to your family's needs. You can subscribe to the calendars and lunch menus of the schools that pertain to only your family, check grades, create a live "stream" of news and social media of the schools and organizations you care about most. The app is also the tool the district and its schools use to notify parents in an emergency, school closings or with general updates and reminders. It helps prevent missed connections from your school by storing push notifications in your app regardless of incorrect contact info or poor cellular reception. Download the Lincoln County R-III School District App for FREE today. To check out the full list of features, visit your online app store today.

OFFICE STAFF:

Administration:

Dr. Jerry Raines, Principal

Cortney Richardson, Assistant Principal - 12

Dr. Joy Lillard, Assistant Principal - 11

Dr. Johnathon White, Assistant Principal- 10

Jason Smith, Activities Director

Guidance Counselors:

Kristine Mennemeyer- 12

Kim Jansen - College and Career, A+

Shelly Dickinson - 11

Julie Flynn - Registrar

Nicole Smith - 10

Educational Office Professionals:

Chas Tryon, Office Manager [REDACTED] Katy Lucas, Activities

Kathleen Swinney, Main Office Michelle Gilbert, College and Career, A+

Cynthia Viehman, Main Office [REDACTED] Christine Ploch, Guidance

Elizabeth Utterback

Business:

LeAnn Doerr - Chair
Katie Costa
Todd Gambill
Suzanne Hall
J.J. Hoskins
Darrell Johnson
Jamie Mercer

Choral Music:

Andrew Drinkall - Chair
Guy Grimstead
Aaron Zart

Custodial/Maintenance:

Keith Cappell
Seth Hopkins
Rhoda Searce
Penny Harris

Drivers Ed:

John Frangoulis

Family & Consumer

Science:

Andrea Tarro - Chair
Alyssa Carr
Robin Engel

Fine Art:

April Elliott - Chair
Abigail Byington
Brent Dildine
Rosemary Ziegler

Foreign Language:

Tiffany Nixon -Chair
Jennifer Mense
Katelyn Pletcher
Lisa Snider

In-School Suspension:

Cody Spegal

Industrial Technology:

Andrew DeManuele-Chair
Ben Gifford
Joey Pietzman

Instrumental Music:

Eric Blankenship - Chair

Chris Barchesky

Language Arts:

Melissa Surber - Chair
Jessica Brunts - Drama
Kasey Davis
Sarah Geerling - Yearbook
Helene Hodak
Brittney Hosmer
Tammy Kozinski - Drama
Katelyn Lauck
Angela Rechtien
Lindsey Williams
Whitney Wood

Library:

Amy Venneman - Librarian
Conya Hoover

Math:

Buddy Bell - Chair
Wesley Allred
Luke Borcharding
Lisa Hoffmann
Bryan Maier
Colin Nelson
Nick Purcell
Emily Rhoads
ReVay Schlitt

Mental Health Specialist:

Kristine Mehta

Nurse:

Teresa Hobbs

Occupational Therapy:

Charlene Bockhorst
Melinda Land

Para-Professionals:

Stephanie Christopher
Kelli Daley
Julie Frazier
Nancy Hamilton
Barb Loveless
Ruthie Wing

Physical Education:

Pat Nichols - Chair

Lane Carl
Jessica Dukeman
Andrew Elmendorf
Ryan Nesbitt
Lance Richardson

Physical Therapy:

Kristin Tignor

Science:

Tina Berra - Chair
Stacey Flieg
Maggie Harrell
Brittney Kniepmann
April Murdock
Whitney Schuenemeyer
Jared Stumpe
Molly Turpin
Nicole Wilmes

Social Science:

Ryan Meyers - Chair
Mat Bauman
Kirsten Hunchberger
Ian Mahan
Anthony Mueller
Kyle Schroer
Matt Summers

Security:

Jeff Hahler
Victor Chavez - SRO

Special Education:

Lora Wattlelet - Chair
Erika Anderson
Marshall Johnson
Lauren Masnica
Laura Robinson
Traci Ruether
Julie Schlote
Lisa Toeppen
Samantha Voepel
Richard Wenzel
Sondra Zehner
Meagan Ziegler

Speech/Language Therapy:

Michelle DiFranco

ATTENDANCE

ATTENDANCE POLICY

Compulsory Attendance State Statute: Statute 167.031.1, RSMo, states that any

parent, guardian or other person having custody or control of a child between the ages of seven (7) and seventeen (17), must ensure that the child is enrolled in and regularly attends public, private, parochial school, home school or a combination of schools for the full term of the school year.

GENERAL ATTENDANCE INFORMATION

Absence Verification: When it is necessary for a student to be absent from school, the student's parent should call the attendance office prior to 9:00 a.m. on the day of the absence. Any unverified student absence may be considered truant and students will be given consequences according to the chart on page.

Regular class attendance is a critical factor in a student's academic success in school. Classroom interaction and instructional activities are an integral part of the learning experience. In addition, one indicator of developing personal responsibility is good school attendance. Staff members work in partnership with parents and students to ensure that regular attendance supports student achievement and responsibility.

This attendance procedure establishes reasonable standards regarding absences. One objective of the procedure is to encourage a high rate of student attendance without imposing a hardship on students, parents, and staff members. Every student is encouraged to be in school every day and attend every assigned class.

Arriving Before School/Leaving Early: The school foyer will be accessible to students at 6:30 a.m. Students may enter the foyer through the main entrance. Upon arrival, students are to remain in the foyer until the building doors are unlocked. Once the internal doors open, students must report to the commons or remain in the foyer until the release bell rings at 7:15 a.m.

At the end of the day, students are expected to leave campus promptly. Students not involved in extracurricular activities, receiving after-school tutoring or participating in other supervised activities must leave campus building by 2:50 p.m.

Doctor and Dentist Appointments: Students will be excused for doctor and dentist appointments. The need for absence for doctor or dental appointments cannot be construed as justification for absence for the whole day if the doctor or dentist has a local practice. The student must submit verification from the attending physician or dentist.

Illness While at School: A licensed nurse services Troy Buchanan High School on a full time basis. Students who become ill at school may obtain a pass from their teacher or the office to see the nurse. The nurse will examine the student to determine whether or not the illness is serious enough to warrant going home. The nurse will contact the student's parents to determine if the student can go home due to illness. **PRIOR TO LEAVING THE STUDENT MUST CHECK OUT THROUGH THE ATTENDANCE OFFICE. STUDENTS ARE NOT TO CONTACT THEIR PARENTS TO MAKE THEIR OWN ARRANGEMENTS.**

EARNED CREDIT ATTENDANCE POLICY

DEFINITIONS

Attendance: A student is considered to be in attendance if the student is physically present in a class; participating in a District-sponsored or District-approved activity; participating in a class through alternative methods or media as allowed by Board policy; serving out-of-school suspension; receiving homebound services; or receiving services at another location pursuant to law or by arrangement of the District. A student is considered ABSENT if they are not in attendance.

Documentation: Note or phone call from parents (containing dates, times, reasons for absences, parent's daytime phone number, and parent signature), medical note (containing the office phone number and the date and time of treatment), funeral service program, court appearance verification, or college visit verification.

Educational Neglect: Failure by the person responsible for the care, custody, and control of the child to provide an appropriate education and to promote school attendance as required for all children ages 7 through 17 years.

Excessive Absenteeism: The accumulation of 6 or more absences in a semester for one class (11 for classes that meet daily).

***ONLY ABSENCES VERIFIED WITH A DOCTOR'S NOTE OR PRE-ARRANGED COLLEGE VISIT FORM (three allowed per year for juniors and seniors) WILL NOT BE COUNTED.**

Late to School: A student is tardy if the student arrives after the expected time. Tardiness will be counted as an absence if the student arrives more than 30 minutes late to their first class.

Parent: A parent, guardian, or person acting as a parent in the absence of the parent or guardian.

ATTENDANCE STEPS

Step 1: After the third or fourth absence in a semester for a particular course (6th absence for courses that meet daily), the grade-level Assistant Principal may meet with the student to review the attendance policy. In addition, the parent(s) will be contacted.

Step 2: After the fifth absence in a semester for a particular course (10th absence for courses that meet daily), the parent(s) may be invited to meet to discuss their child's attendance. The purpose of this meeting is to review school attendance policies and develop an attendance improvement plan. In addition, a letter may also be sent to the parent(s) that includes student attendance records and school attendance policies.

Step 3: After the sixth absence in a semester for a particular course (11th absence for courses that meet daily), the parent(s) may be invited to attend a meeting between the grade-level Assistant Principal and the student. The purpose of this meeting is to inform the student that he/she has been

placed on "No Credit" status for the course(s). A review of the attendance policy, including make-up opportunities and the appeal process, will be addressed.

When a student is placed on "No Credit" status, he/she will not receive credit at the end of the semester for that class unless the student successfully appeals to a building attendance committee or successfully completes non-disciplinary make-up time during Saturday School.

ATTENDANCE MAKE UP: Students in "No Credit" status for one or more classes are eligible to make up absences by attending approved make-up time outside the regular school day. Students are required to meet with their grade-level Assistant Principal to schedule make-up time. Students are required to complete academic coursework to receive credit for time served. All make up time must be completed before the end of the semester. Time is made up at a 1:1 ratio. For example, completing four hours of Saturday School is the equivalent of three 80-minute blocks.

ATTENDANCE APPEAL: The student must notify administration of their intent to appeal the "No Credit." At that time, a meeting with an attendance committee will be scheduled before the end of the semester. The committee will consist of an administrator, guidance counselor, and at least one teacher. At this meeting, the student will present information to justify why credit should be given. Evidence worthy of sharing at the meeting will include doctor's notes not previously submitted, proof of significantly improved attendance since being placed on "No Credit" status, proof of completed assignments, proof of improved performance in class, etc. The committee will then rule on whether the "No Credit" status should be removed and letter grade and credit awarded. If the appeal is denied, the student will receive an NC (no credit) on the transcript with no letter grade recorded, unless he/she completes make-up time as described prior.

BELL SCHEDULES

Monday, Tuesday, Thursday, Friday Schedule

1st Block	7:30 a.m. - 8:50 a.m.
2nd Block	8:55 a.m. - 10:15 a.m.
Academic Lab (3rd Block)	10:20 a.m. - 11:10 a.m.
4th Block	11:15 a.m. - 1:05 p.m.
5th Block	1:10 p.m. - 2:30 p.m.

Wednesday/Early Release Schedule

1st Block	7:30 a.m. - 8:50 a.m.
2nd Block	8:55 a.m. - 10:15 a.m.
4th Block	10:20 a.m. - 11:55 a.m.
5th Block	12:00 p.m. - 1:20 p.m.

Delayed Start Schedule

1st Block	9:30 a.m. - 10:37 a.m.
2nd Block	10:42 a.m. - 11:50 a.m.
4th Block	11:50 a.m. - 1:18 p.m.
5th Block	1:23 p.m. - 2:30 p.m.

COLLEGE VISITS

Submit a college-visit request to the main office in advance. College visits are limited to three days per year and are only for 11th and 12th grade students. NOTE – college visits are counted as an absence with regard to the students' A+ Status unless it is part of a school-sponsored activity, but will not be counted toward exemplary attendance or the credit earned policy with official visit verification from a college. (Forms are available in the Guidance Office).

LEAVING EARLY

Written or verbal parental permission is required before students are allowed to leave campus after they have arrived. Students who ride a school bus are considered to have arrived at school when they board their school bus. When students leave school with written parental permission, they are not required to bring another written excuse when they return except in instances where the written request did not specify a reason. When the student is leaving early, they are required to check out at the attendance window at the main office.

Students who fail to observe the above procedure when leaving school after they have arrived will be considered truant and subject to the consequences for such.

Students who become ill at school must be checked out through the nurse's office and must sign out through the attendance office prior to departure.

ARRIVING LATE

Students who enter school after classes have begun must sign in at the main office.

EXEMPLARY ATTENDANCE

To qualify for an exemplary attendance certificate a student can be absent from classes only twice – one time of not more than three (3) blocks and one of not more than two (2) blocks. There are no exceptions to this policy for any reason.

Referrals to the office for chronic tardiness or other disciplinary matters will also exclude the student from exemplary attendance. "Chronic" tardiness for administrative

purposes is defined as any combination of signing in late, signing out early, or being tardy to class which total nine (9) occurrences.

MAKE UP WORK

All work to be made up for credit must be completed within the amount of time designated by the teacher and in most instances must not exceed two weeks. In instances of absences, which are longer than two weeks in duration, a longer period of time may be granted. It is the student's responsibility to take the initiative to make-up work.

Students who are absent more than one day may request homework by calling the office NO LATER THAN 9:00 a.m. If students know they are going to be absent, they should pick up homework in advance from their classroom teachers.

TARDY POLICY

Late to School - Students who are late to school must sign at the main office and obtain a pass to class. If a student is no more than 30 minutes late he/she will be counted tardy to class and will be subject to the late to class policy. Students who are more than 30 minutes late to class will be counted absent for the classes missed and will have the absence count towards the Earned Credit Attendance Policy previously outlined.

Late to Class - Students are considered tardy to class if they are not in class by the time the late bell signals. A tardy student will be admitted to class upon arrival and tardies will be assigned and tracked by each teacher.

Students who are 5 minutes or more late to class without a pass should be sent to the office with a discipline referral submitted.

Tardies will accumulate by quarter and for every third tardy to a class students will be assigned a consequence based on the tardy referral guide found in the Student Code of Conduct.

CODE OF CONDUCT

DEFINITIONS

Detention: the student will attend sessions outside of the regular school day for a specific amount of time on the dates he/she has been assigned.

Weekly Detention Schedule:

DAYS	TIMES	LOCATION
Monday thru Friday	6:45 am - 7:25 am	Designated Room
Monday & Tuesday	2:35 pm - 3:15 pm	ISS Room - Room 109
Thursday	2:35 pm - 4:05 pm	ISS Room - Room 109
Saturday	8:30 am - 12:30 pm	Various - Start in Foyer

Rules:

After school detentions are held on Mondays and Tuesdays until 3:15 pm and Thursdays until 4:05 pm when school is in session. Students are to be in Room 109 and seated by 2:35 pm and stay until they have completed their assigned time.

Morning detention will be served in a designated room from 6:45 am to 7:25 am on all school days. Students are required to add their name to the sign in sheet to receive credit for serving detention before school.

Saturday detention will be served in a designated room from 8:30 am through 12:30 pm on specified days. Students are required to bring all appropriate materials and must be prepared to study quietly. Failure to do so may result in removal from detention.

Students may be allowed to leave detention only with teacher or administrator permission. Students may reschedule one detention per semester with prior administrative approval.

Students who miss their assigned detention window are expected to report to their grade level administrator the next school day.

Students who fail to attend or follow detention rules will be given additional detention time or ISS according to the following chart.

Failure to complete assigned detention time or follow detention rules:

<i>1st Offense per semester</i>	<i>Rescheduled</i>
<i>2nd Offense per semester</i>	<i>Time is doubled</i>
<i>Subsequent Offenses per semester</i>	<i>1-3 days ISS</i>

In-School Suspension (ISS): the student is denied the privilege of attending regular classes. The student reports to the ISS room at the start of the day for a specific amount of time as determined by the offense committed, receiving full credit for all work completed while in ISS. Students who are assigned ISS will receive ISS guidelines from an administrator. Students are excluded from any school activities until the first calendar day after the assigned ISS time is successfully completed. Violation of the ISS contract may result in additional days of ISS, OSS, or the loss of ISS privileges.

Out-of-School Suspension (OSS): the student is denied the privilege of attending a school day, participating in classes, participating in or attending any extracurricular activities or school sponsored functions whether on campus or at another facility for the length of the suspension. The opportunity to make up work missed while on OSS will be extended upon the student's return to school for suspensions less than 10 days (for suspensions of more than 10 days, arrangements will be made with the Guidance Office to make up the work missed). OSS is defined as school days, not calendar days. OSS days do not count when school is not in session (i.e., snow days, holidays, summer days). Administration may require a reentry conference with parent/guardian and student prior to returning to school.

Referral to Superintendent: The Superintendent of Schools will review the discipline file and determine if additional actions are warranted such as but not limited to:

- 11-180 days of additional OSS
- Professional Counseling
- Referral to School Board for Expulsion

Academic Educational Placement (AEP): A program designed to assist high school students who have been suspended out of school. Students who are placed in the AEP program will receive daily instruction on coursework as well as lessons on Positive Behavior Supports (PBS) and/or Character Education. Our goal is to keep students current on their coursework while helping students acquire the pro-social skills to be successful in their home school.

Expulsion: the permanent removal of a student from the Lincoln County R-III School District by action of the Board of Education. Only the Board of Education can expel a student from school.

THE TROJAN WAY				
	BE RESPECTFUL	BE RESPONSIBLE	BE SAFE	BE A LEARNER
SCHOOL - WIDE	<ul style="list-style-type: none"> - TAKE PRIDE IN THIS - USE POSITIVE / ACCEPTABLE LANGUAGE, BEHAVIOR AND VOLUME - FOLLOW DIRECTIONS THE FIRST TIME THEY ARE GIVEN - BE POLITE TO SCHOOL PERSONNEL, PEERS AND SURROUNDINGS - FOLLOW DRESS CODE - USE TECHNOLOGY IN A SCHOOL APPROPRIATE MANNER 	<ul style="list-style-type: none"> - BE PREPARED AND ON TIME - ACCEPT THE CONSEQUENCES FOR YOUR BEHAVIOR - USE SCHOOL PROPERTY AS INTENDED - STAY IN DESIGNATED AREAS 	<ul style="list-style-type: none"> - REPORT PROBLEMS, CONCERNS, AND/OR ISSUES TO SCHOOL PERSONNEL - KEEP HANDS, FEET, AND OBJECTS TO YOURSELF - KEEP OUTSIDE DOORS CLOSED AT ALL TIMES - FOLLOW SIGN IN/OUT PROCEDURES - MAINTAIN SELF-CONTROL AT ALL TIMES 	<ul style="list-style-type: none"> - BE PREPARED AND ON TIME - BE ACCOUNTABLE FOR YOUR ACTIONS
COMMON AREAS	<ul style="list-style-type: none"> - TREAT PROPERTY WITH CARE - USE POLITE WORDS AT A CONVERSATIONAL VOLUME WITH STAFF AND PEERS 	<ul style="list-style-type: none"> - CLEAN UP AFTER YOURSELF AND CLEAN UP YOUR AREA - WALK SWIFTLY TO DESTINATION 	<ul style="list-style-type: none"> - ENTER AND EXIT IN AN ORDERLY MANNER - USE BANNISTERS APPROPRIATELY - KEEP HALLWAYS CLEAR AND STAY TO THE RIGHT 	<ul style="list-style-type: none"> - FOLLOW DIRECTIONS - BRING REQUIRED MATERIAL TO CLASSES - BE CONSIDERATE OF CLASSES IN SESSION - BE IN THE CLASSROOM WHEN THE TARDY BELL RINGS
RESTROOMS AND LOCKER ROOMS	<ul style="list-style-type: none"> - USE THE DESIGNATED RESTROOM IN YOUR AREA - MAINTAIN A QUIET VOICE 	<ul style="list-style-type: none"> - KEEP IT CLEAN - LOCK YOUR GYM LOCKER 	<ul style="list-style-type: none"> - REPORT PROBLEMS TO SCHOOL PERSONNEL - ALLOW FOR PRIVACY OF OTHERS 	<ul style="list-style-type: none"> - FOLLOW RESTROOM PROCEDURES - RETURN PROMPTLY TO CLASS
ASSEMBLIES AND EXTRA CURRICULAR	<ul style="list-style-type: none"> - BE ATTENTIVE AND RESPOND POSITIVELY - USE POLITE LANGUAGE - SHOW APPRECIATION AT THE APPROPRIATE TIMES USING POSITIVE SPORTSMANSHIP 	<ul style="list-style-type: none"> - BE IN DESIGNATED AREA 	<ul style="list-style-type: none"> - ENTER AND EXIT IN AN ORDERLY MANNER 	<ul style="list-style-type: none"> - BE AN ACTIVE LISTENER
PARKING LOT	<ul style="list-style-type: none"> - USE POLITE COMMUNICATION WITH PARKING LOT SECURITY AND PEERS 	<ul style="list-style-type: none"> - FOLLOW PARKING LOT RULES - HEAD DIRECTLY TO YOUR DESTINATION UPON ARRIVAL AND AT DISMISSAL 	<ul style="list-style-type: none"> - SECURE VEHICLE 	<ul style="list-style-type: none"> - BRING REQUIRED MATERIALS INTO TBHS
BUS	<ul style="list-style-type: none"> - BE RESPECTFUL OF THOSE INSIDE AND OUTSIDE THE BUS 	<ul style="list-style-type: none"> - USE GOOD MANNERS - TAKE YOUR BELONGINGS WITH YOU - FOLLOW BUS RULES - REPORT TO BUS PROMPTLY 	<ul style="list-style-type: none"> - KEEP AISLE CLEAR - REMAIN SEATED WHILE ON THE BUS - ENTER AND EXIT IN AN ORDERLY MANNER 	<ul style="list-style-type: none"> - USE YOUR TIME IN A PRODUCTIVE WAY

W WAGNER

STUDENT CODE OF CONDUCT

The Student Code of Conduct is designed to foster student responsibility, respect for the rights of others, and to ensure the safe and orderly operation of the Lincoln County R-III Schools. No code of policy can be expected to list each and every offense, which may result in the use of disciplinary action. However, it is the purpose of the code to list certain offenses, which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, or an aggravated circumstance of any offense or an action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the Principal, Superintendent and/or Board of Education. In addition, prior offenses and disciplinary action may be considered when determining disciplinary consequences. The Lincoln County R-III School District student discipline and conduct code follows the laws set out in the Missouri Safe Schools Act.

ACADEMIC DISHONESTY (DCHE)

Includes, but is not limited to, the following:

- Obtaining and/or accepting a copy of tests or scoring devices.
- Copying another student's answers on homework or tests.
- Representing as one's own work the product of someone else's creativity.
- Using notes or other material not allowed by the teacher.
- Having someone, other than that student, prepare the student's homework, project, laboratory report, or exam.
- Permitting another student to copy the homework, project, laboratory report, or exam other than for a teacher-approved collaborative effort.
- Any other actions to receive credit for work not one's own

1st Offense *Student receives a zero on the assignment, test, quiz, or project, Principal/student conference, Saturday Detention, ISS, OSS, parent notification.*

Subsequent Offences *Student receives a zero on the assignment, test, quiz or project, 3-5 days ISS, possible OSS, Principal/student conference, parent notification.*

ARSON (ARSN)

Starting a fire, taking affirmative steps that cause a fire to start, or causing an explosion either with the intent to cause damage or injury to persons or property or causing an explosion with the intention to damage property or buildings.

1st Offense *10 days OSS with referral to Superintendent, notification to law enforcement.*

Subsequent Offences *Expulsion, notification to law enforcement officials*

ASSAULT (ASLT)

Striking or attempting to strike another student.

1st Offense 10 days OSS, referral to Superintendent, possible
ISS upon return, notification to law enforcement.

Subsequent Offenses 10 days OSS, referral to Superintendent, notification to law
Enforcement.

*Occurrences of assault/fighting will be cumulative throughout the time a student is in
high school.*

AGGRAVATED ASSAULT (ASLT)

When a student attempts to cause severe injury to another or cause injury with use of a
deadly weapon.

1st and Subsequent Offenses 10 days OSS, referral to Superintendent, notification to law
enforcement.

*Occurrences of assault/fighting will be cumulative throughout the time a student is in
high school.*

BULLYING (DBUL, CYBR)

Bullying is the intentional action by an individual or group of individuals to inflict
intimidation, unwanted aggressive behavior, extortion, or harassment that is repetitive or
is substantially likely to be repeated and causes a reasonable student to fear for his or her
physical safety or property; substantially interferes with the educational performance,
opportunities, or benefits of any student without exception; or substantially disrupts the
orderly operation of the school. Bullying may consist of physical actions, including
gestures, or oral, cyberbullying, electronic, or written communication, and any threat of
retaliation for reporting acts of bullying. For more information reference Bullying under
General Expectations.

Students who are found to have violated this policy will be subject to consequences
depending on factors such as: age of student(s), degree of harm, severity of behavior,
number of incidences, etc.

1st and Subsequent Offenses Conference with teachers/administrator, parent
notification, detention, ISS, OSS, referral to Superintendent
expulsion, notification to law enforcement.

BUS VIOLATION (BBUS)

Students who ride the Lincoln County R-III School District buses are to conduct
themselves in a responsible and safe manner as outlined in Bus Rules under General
Expectations section of this handbook.

Consequences for violation of Bus Rules

OFFENSE	1st Infraction	2nd Infraction	3rd Infraction	4+ Infraction
<i>Insubordination</i>	<i>Conference</i>	<i>1-3 days off bus</i>	<i>3-10 days off bus</i>	<i>5-10 days off bus & ISS</i>
<i>Weapons/Fighting Physical Violence</i>	<i>Per student handbook consequence schedule and associated loss of bus privilege.</i>			
<i>Verbal/Sexual Harassment, Profanity, Bullying,</i>	<i>Per student handbook consequence schedule and associated loss of bus privilege.</i>			

<i>Coercion</i>				
<i>Vandalism</i> <i>Throwing Objects</i>	<i>Conference & restitution</i>	<i>1-3 day off bus & restitution</i>	<i>3-10 days off bus & restitution</i>	<i>5-10 days ISS & restitution</i>

Remember that it is a privilege to ride the bus and if at any time there is an infraction of any of the above rules, the student is subject to losing that privilege.

Severe Clause - Severe misbehavior, which may jeopardize the safety and well-being of students, may result in consequences in excess of the scheduled consequences. Some examples would include, profane or threatening language, fighting, insubordination, bullying, and possession of weapons.

NOTE - Suspension of riding privileges may continue into the next school year to complete the suspension.

CELL PHONE USE/MISUSE (DCEL)

Due to the District issuing/providing iPad devices to each student, cell phone usage during class time will not be tolerated unless directed by a teacher.

Students violating these expectation will face the following disciplinary action:

1st Offense *Conference with teacher/administrator*

2nd Offense Detention, ISS

<i>Subsequent Offenses</i>	<i>Detention, ISS, OSS</i>
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Severe Clause: By administrative determination, acts of harassment, bullying or possession/distribution of pornography through the use of an electronic device may result in consequences in excess of those outlined above.

The use of electronic devices in locker rooms, restrooms, or any other dressing room area is STRICTLY prohibited at ALL times.

DISHONESTY (including lying, making false statements, spreading false rumors) (DHON)

Being dishonest to staff members, gossiping, spreading false rumors, and/or making false statements, (either written, verbal, or technology based) is prohibited. Making false statements about another student can cause serious emotional distress to others and even incite physical confrontations between students. Students are expected to tell the truth when asked by staff.

1st Offense Conference, Detention, ISS, OSS

Subsequent Offenses ISS, OSS

DISRESPECTFUL CONDUCT OR SPEECH (DDIS)

Disrespectful verbal, written, technological or symbolic language or gesture that is inappropriate for public settings directed at a student, visitor, or school district employee.

Directed at a Staff Member:

1st Offense ISS, 1-10 days OSS

Subsequent Offenses ISS, 1-10 days OSS, possible referral to Superintendent

Directed at a Student:

1st Offense principal/student conference, detention, ISS, possible OSS

Subsequent Offenses ISS, possible OSS

DRESS CODE VIOLATION (DCLO)

Students referred to the office for violation of school dress (see General Expectations) will be subject to the following consequences:

1st Offense Teacher/Student conference, Principal/Student conference, Student will be asked to remove inappropriate items or change into school appropriate attire, refusal to do so will be considered insubordination possibly resulting in detention, ISS, OSS

Subsequent Offenses Teacher/Student Conference, Principal/Student Conference, Detention, ISS, OSS

DRUG AND ALCOHOL VIOLATION (DRUG, ALCO)

The use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt of any unauthorized prescription drug, narcotic drug, controlled substance, illegal drug, counterfeit substance, and/or imitation controlled substance (collectively as used herein "drug(s)") at school, any school activity, or on a District-owned or approved vehicle is strictly prohibited.¹ The use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt of alcohol is also prohibited, as is the use, possession, sale, distribution, transfer, purchase, and/or receipt of any drug-related paraphernalia.

Drug Use, Possession, and/or Being Under the Influence of Drugs, and/or Drug Related Paraphernalia Consequences

1st Offense

- Student will be suspended out-of-school for 10 days by the Building Principal or Assistant Principal with referral to Superintendent for an additional 60 days OSS.
- Documentation of violation will be placed in the student's discipline record.
- Upon returning to school, the student must successfully complete monthly random drug testing for 12 consecutive months or until graduation requirements are met.
- Notification to local law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others. Student will be granted early readmittance by the Superintendent (or his designee) after the Student has served 30 days OSS if the Student voluntarily satisfies all of the following conditions:

- Student completes a drug abuse assessment and begins the recommended treatment plan, if any. The parent/guardian of the Student or the Student, if 18 or older, provides a signed release for this documentation to be obtained by the District directly from the assessment provider.
- Documentation is provided showing that the Student has enrolled in a drug treatment/counseling program and successively completed at least 3 treatment/counseling sessions. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this documentation to be obtained by the District directly from the treatment/counseling provider.
- Documentation is provided from the assessment/treatment/counseling provider of at least three (3) urinalysis test results indicating successful decreasing substance levels. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this documentation to be obtained by the District directly from the testing administrator.
- Student, if 18 or older, or the Student and his/her parent/guardian consent(s) to random drug testing by the District for twelve (12) consecutive school months following the Student's readmittance to school or until the Student graduates, whichever occurs first.
- Student does not engage in any illegal and/or serious misconduct while on suspension.

2nd Offense

- Student will be suspended out-of-school for 10 days OSS by the Building Principal or Assistant Principal with referral to Superintendent for an additional 180 days OSS.
- Documentation of violation will be placed in the Student's discipline record.
- Upon returning to school, the student must successfully complete monthly random drug testing for 18 consecutive months or until graduation requirements are met.
- Notification to local law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others.
- Student will be granted early readmittance by the Superintendent (or his designee) after the Student has served 90 days OSS if the Student voluntarily satisfies all of the following conditions:
 - Student completes a drug abuse assessment and the recommended treatment plan, if any. The parent/guardian of the Student or the Student, if 18 or older, provides a signed release for this documentation to be obtained by the District directly from the assessment provider.
 - Documentation is provided showing that the Student has successfully completed a drug treatment/counseling program. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this documentation to be obtained by the District directly from the treatment/counseling provider.
 - Documentation is provided from the assessment/treatment/counseling provider of at least three (3) urinalysis test results indicating successful decreasing substance levels. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this

documentation to be obtained by the District directly from the testing administrator.

- Student, if 18 or older, or the Student and his/her parent/guardian consent(s) to random drug testing by the District for eighteen (18) consecutive school months following the Student's readmittance to school or until the Student graduates, whichever occurs first.
- Student does not engage in any illegal and/or serious misconduct while on suspension.

3rd Offense

- Student will be suspended out-of-school for 10 days by the Building Principal or Assistant Principal with referral to Superintendent for an additional 180 days OSS with recommendation for expulsion from the District to the Board of Education.
- Documentation of violation will be placed in the Student's discipline record.
- Notification to local law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others.

Sale, Distribution, Transfer, Purchase, and/or Receipt of any Drug Consequences

1st Offense

- Student will be suspended out-of-school for 10 days by the Building Principal or Assistant Principal with referral to Superintendent for an additional 180 days OSS and/or recommendation for expulsion from the District to the Board of Education.
- Documentation of violation will be placed in the student's discipline record.
- Upon returning to school, the student must successfully complete monthly random drug testing for 18 consecutive months or until graduation requirements are met.
- Notification to local law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others.
- If the Student is suspended rather than expelled, Student will be granted early readmittance by the Superintendent (or his designee) after the Student has served 90 days OSS if the Student voluntarily satisfies all of the following conditions:
 - Student completes a drug abuse assessment and the recommended treatment plan, if any. The parent/guardian of the Student or the Student, if 18 or older, provides a signed release for this documentation to be obtained by the District directly from the assessment provider.
 - Documentation is provided showing that the Student has successfully completed a drug treatment/counseling program. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this documentation to be obtained by the District directly from the treatment/counseling provider.
 - Documentation is provided from the assessment/treatment/counseling provider of at least three (3) urinalysis test results indicating successful decreasing substance levels. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this documentation to be obtained by the District directly from the testing administrator.
 - Student, if 18 or older, or the Student and his/her parent/guardian consent(s) to random drug testing by the District for eighteen (18) consecutive school months following the Student's readmittance to school or until the Student graduates, whichever occurs first.

- Student does not engage in any illegal and/or serious misconduct while on suspension.

Subsequent Offenses

- Student will be suspended out-of-school for 10 days with referral to Superintendent for an additional 180 days OSS with recommendation for expulsion from the District to the Board of Education.
- Documentation of violation will be placed in the Student's discipline record.
- Notification to law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others.

Alcohol Violation Consequences

1st Offense

- Student will be suspended out of school for 1-10 days OSS and up to 10 days ISS upon return.
- Possible referral to Superintendent for additional disciplinary action.
- Documentation of violation will be placed in the student's discipline record.
- Notification to local law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others.

Subsequent Offenses

- Student will be suspended out-of-school for 10 days with referral to Superintendent for an additional 30-180 days OSS.
- Documentation of violation will be placed in the student's discipline record.
- Notification to local law enforcement will be made if required by law or otherwise appropriate for the health or safety of the Student or others.
- Student will be granted early readmittance by the Superintendent (or his designee) after the Student has served 20 days OSS if the Student voluntarily satisfies all of the following conditions:
 - Documentation is provided from a state licensed and accredited facility that the Student has begun an alcohol abuse assessment and began the recommended treatment plan, if any. The parent/guardian of the Student or the Student, if 18 or older, must provide a signed release for this documentation to be obtained directly from the assessment provider.
 - Refrains from engaging in any illegal and/or serious misconduct while on suspension.

FALSE ALARMS (ALAR)

Tampering with emergency equipment, setting off false alarms, and/or making false reports.

1st and Subsequent Offenses

1-10 days OSS, possible referral to Superintendent, possible notification to law enforcement.

FIGHTING AND/OR PHYSICAL VIOLENCE (DVFD)

Fighting and perpetuating violence will not be tolerated. Students who fight face suspension and/or possible criminal charges as well as arrest. Students who instigate or

contribute to a fight as well as students who record and/or distribute a video of a fight are also subject to similar consequences. **All active participants in a fight will face disciplinary consequences.**

1st Offense 10 days OSS, possible referral to Superintendent, possible ISS upon return, notification to law enforcement.

Subsequent Offenses 10 days OSS, referral to Superintendent, notification to law enforcement.

Severe Clause: By administrative determination, severe acts of physical violence may result in consequences in excess of those outlined above.

Occurrences of assault/fighting will be cumulative throughout the time a student is in high school.

FIREWORKS (POSSESSION AND/OR USAGE) (DFIR)

The use, possession, and distribution of fireworks, smoke bombs, or any similar items that are detrimental to the health and safety of the students and/or organization of the school are prohibited. Students or others engaging in these acts on or around campus may be subject to disciplinary action and/or prosecuted under the City of Troy ordinances.

Possession:

1st Offense 3-5 days ISS

Subsequent Offenses 5-10 days ISS, up to 10 days OSS

Use:

1st Offense 1-10 days OSS, notification to law enforcement, and documentation in Student's discipline record.

Subsequent Offenses OSS for the remainder of the semester (not less than 20 days), notification to law enforcement, and documentation in Student's discipline record.

Occurrences will be cumulative throughout a student's time in school.

FORGERY/FALSE REPRESENTATION (DFOR)

Any alteration and/or misuse of passes, notes, letters, doctor's notes, parking passes, etc. This includes making false reports or telephone calls concerning a student.

1st Offense 5 days ISS

Subsequent Offenses 10 days ISS or 5 days OSS

Severe Clause: Serious circumstances will also be referred to law enforcement or the Lincoln County Juvenile Office

HABITUAL DISCIPLINE REFERRALS (HOFF)

Excessive referrals may result in increasing consequences ranging from loss of privileges, ISS, OSS, or referral to Superintendent. It is at the discretion of the administrator whether or not a student will be considered a habitual offender. Any student who receives five (5) or more discipline referrals may be considered a habitual offender and subject to consequences outlined above.

HARASSMENT (HARR)

Troy Buchanan High School prohibits any and all forms of unlawful harassment and discrimination because of race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation. Violations to the District Policy (see General Expectation) will be subject to the following consequences:

1st Offense: Principal/student conference, loss of privilege, detention, ISS, 1-10 days OSS, possible referral to Superintendent, possible notification to law enforcement

Subsequent Offenses ISS, 10 days OSS, referral to Superintendent, possible notification to law enforcement

HORSEPLAY (DHPL)

Horseplay is rough or boisterous play or pulling pranks in the school setting. Horseplay can be activities, such as, joking, including but not limited to physical contact, playing around, racing, grabbing and participating in unauthorized contests.

1st offense: 1-3 days ISS, possible OSS

Subsequent Offenses 3-5 days ISS, possible OSS

IN-CLASS MISCONDUCT (DCLA)

Any disruptive conduct that interrupts the educational process in the classroom.

1st Offense Detention, and/or 3 blocks ISS

2nd Offense Detention and/or 3-5 blocks ISS

3rd Offense 3 full days ISS with re-entry conference (administration, teacher, parent, student)

Subsequent Offenses ISS, OSS, or expulsion from the class and receive a grade of F for the class

INSUBORDINATION (DINS)

Students who are unwilling to cooperate with staff member's directives will be considered insubordinate. Students who leave class without permission will be considered insubordinate.

1st Offense ISS, 1-10 days OSS

Subsequent Offenses ISS, 10 days OSS, referral to Superintendent

OUT OF ASSIGNED AREA (AOAA)

When a student is in an area on campus not designated or defined by their schedule without a pass. This includes leaving the lunchroom without permission

1st Offense *Principal/student conference, detention*

2nd Offense *Detention, ISS*

Subsequent Offenses *Up to 3 days ISS*

PARKING VIOLATIONS (DPAR)

Violations to the student parking expectation (see General Expectations) may result in the consequences found below:

1st Offense *Loss of parking pass and/or detention*

Subsequent Offenses *Loss of parking pass for at least 30 days, detention, ISS, OSS, car towed.*

Parking permits are not transferable and must be used solely by the student registered. The loaning of permits may result in disciplinary consequences for both parties involved.

PHYSICALLY AGGRESSIVE BEHAVIOR (DPAB)

Pushing, shoving, scuffling, or other types of behavior that could result in injury to another person.

1st Offense *3-5 ISS, possible OSS*

Subsequent Offenses *5-10 ISS, possible OSS*

PROFANE AND/OR THREATENING LANGUAGE (DPRO, DLEM)

Use of words or actions, verbal, written, or symbolic not appropriate for the school setting or meant to harass or injure another person; i.e., threats of violence or defamation of a person's race, religion, gender, or ethnic origin.

Directed at a Staff Member:

1st Offense *5 days OSS and up to 5 days ISS upon return*

Subsequent Offenses *10 days OSS and up to 10 days ISS upon return*

Directed at a Student:

1st Offense *3-5 days ISS and/or possible OSS.*

Subsequent Offenses *5-10 days ISS and/or possible OSS*

PUBLIC DISPLAYS OF AFFECTION (DPDA)

Physical contact that is inappropriate for the school setting.

1st Offense *Principal/student conference, Detention, ISS*

Subsequent Offenses *ISS, 1-10 days OSS*

TBHS will be transitioning to a 1:1 student ratio for district issued iPads. Each student has the opportunity to be issued an iPad at the start of the school year or become a Day-User. Students are expected to bring their district issued iPad to school each day, fully charged. Day-Users are expected to check out their device from the library before school begins and check it back in at the end of the school day. For additional guidelines, usage and care refer to the Personalized Learning Handbook.

Students violating these expectation will face the following disciplinary action:

1st Offense *Conference with teacher/administrator, Possible assignment of Day-User status possible loss of technology privileges, Detention, ISS*

2nd Offense *Possible assignment of Day-User status, possible loss of technology privileges, Detention, ISS*

Subsequent Offenses *Possible assignment of Day-User status, Loss of technology privileges, Detention, ISS, Possible OSS*

Severe Clause: *By administrative determination, acts of harassment, bullying or possession/distribution of pornography through the use of an electronic device may result in consequences in excess of those outlined above.*

The use of electronic devices in locker rooms, restrooms, or any other dressing room area is **STRICTLY** prohibited at **ALL** times.

THEFT AND/OR POSSESSION OF STOLEN PROPERTY (DSTE)

Theft, attempted theft, or possession of stolen property. This includes possession of missing property and/or found property that does not belong to the student.

1st Offense *Restitution, 3-5 days ISS, 1-10 days OSS, possible referral to Superintendent, possible notification to law enforcement*

2nd Offense *Restitution, 1-10 days OSS, possible referral to Superintendent, notification to law enforcement*

Subsequent Offenses *Restitution, 10 days OSS and referral to Superintendent, notification to law enforcement.*

Items stolen with a value of \$100 or more will automatically result in OSS.

THREATS OF A CATASTROPHIC NATURE (THRT)

Any threat of catastrophic nature (i.e. threats towards school, bomb threats) will result in an automatic referral to the district's threat assessment team.

1st and Subsequent Offense *10 days OSS, referral to superintendent, notification to law enforcement.*

TOBACCO POLICY (TBCO)

Students are not allowed to smoke, use, or be in possession of any type of tobacco products or simulated tobacco products (i.e. electronic cigarettes) on school property or while attending any school related function. Students who violate the policy are subject to disciplinary action. Missouri State law makes it illegal to possess tobacco products if under 18 years of age. Products and paraphernalia will be confiscated.

<i>1st Offense</i>	<i>3 days ISS</i>
<i>2nd Offense</i>	<i>5 days ISS</i>
<i>3rd Offense</i>	<i>5 days OSS</i>
<i>Subsequent Offenses</i>	<i>10 days OSS, referral to Superintendent</i>

TRUANCY (ATRU)

The deliberate absence from school on the part of the pupil with or without knowledge of the parent/guardian and for which no justifiable excuse is given. A student is also considered truant if the student leaves school without the consent of the building Principal or nurse. Referrals will be made to the Lincoln County Juvenile Office for truancy.

<i>1st Offense</i>	<i>4-Hour Saturday Detention</i>
<i>2nd Offense</i>	<i>2 days ISS</i>
<i>Subsequent Offenses</i>	<i>4 days ISS</i>

VANDALISM - POLICY 2654 (DVAN)

Willful damage or the attempt to cause damage to real or personal property belonging to the school, staff, or students.

<i>1st & Subsequent Offenses</i>	<i>Restitution, 1-10 days ISS, 1-10 days OSS, possible referral to Superintendent, possible notification to law enforcement</i>
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WEAPONS AND/OR INJURIOUS MATERIALS (4KNI, WEAP)

Any student utilizing a school facility is not to carry, conceal, sell, deliver, transfer, possess, or harbor any kind of "weapons" as defined under United States Code § 571.010 of the Missouri Revised Statutes including but not limited to: firearms, throwing stars, mace, metal knuckles, razors, blackjacks, explosive weapons, firearm silencers, gas guns, knives, switchblades, machine guns, rifles, shotguns, spring guns, projectile weapons and/or imitation or counterfeit weapons. Occurrences will be cumulative throughout a student's time in high school.

Possession of injurious materials:

<i>1st Offense</i>	<i>ISS, 1-10 days OSS, possible referral to Superintendent, possible notification to law enforcement</i>
<i>Subsequent Offenses</i>	<i>10 days OSS, referral to Superintendent, notification to law enforcement</i>

Possession or use of a firearm:

as defined in 18 U.S.C. 921 or any instrument or device defined in § 571.010, RSMO.

<i>1st Offense</i>	<i>10 days OSS, referral to Superintendent, notification to law enforcement</i>
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***NOTE:** Any student who uses a potentially lethal or injurious object or weapon against the person of another student, regardless of the presence of or the absence of provocation, and regardless of the presence or absence of intent to do bodily harm, shall fall under the weapons policy per safe schools act. Upon validation of the incident by school officials, student could be suspended from school for a period of not less than 180 days or expelled from school.*

GENERAL EXPECTATIONS

ACADEMIC ACCOLADES AWARD (TRIPLE 'A' CLUB)

All students begin the year as a member of the Triple 'A' Club. Students must maintain their eligibility by completing the following:

- Have no D's or F's at each grade check. Grade checks will occur bi-weekly.
- Have zero discipline referrals during the 2 week period.
- Have 90% or better attendance with only parent excused absences.

Students will be rewarded for being a member of the Triple 'A' Club in good standing. Students who have kept up their grades, stayed out of mischief, and had good attendance will enjoy the following:

- Once a week members will get privileged time in the commons during Academic Lab.
- Students who lose their Triple 'A' Club eligibility can regain it by meeting the criteria listed above during the next grade check cycle.

ASBESTOS INFORMATION

The Lincoln County R-III School District has developed and maintains an Asbestos Inspection and Management Plan as required by the Asbestos Emergency Response Act of 1986 (AHERA). A copy of the plan is available for your inspection at our administrative office during regular office hours.

BULLYING POLICY- Policy 2655

The District is committed to maintaining a learning and working environment free of any form of bullying or intimidation. Bullying is strictly prohibited on school grounds, or school time, at a school sponsored activity or in a school related context. Bullying is the intentional action by an individual or group of individuals to inflict intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting acts of bullying.

Cyberbullying means bullying as defined above through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. The District may prohibit and discipline for cyberbullying that originates on any District campus or at a District activity if the electronic communication was made using the school's technological resources, if there is a sufficient nexus to the educational environment, or if the electronic communication was made on the District's campus or at a District activity using the

student's own personal technological resources. Further, students who engage in significant acts of misconduct off campus, which materially and adversely impact the education of District students will be subject to discipline.

Bullying, as defined in this policy, is strictly prohibited. Students are encouraged to report any incident of bullying which they have witnessed or incurred, by contacting their building principal. District employees are required to report any instance of bullying of which the employee has witnessed within two (2) school days of the occurrence. Employees shall report the occurrence to the building principal, who is the person the District designates to receive reports of incidents of bullying. A principal who receives a report of an incident of bullying shall initiate an investigation into the allegations within two (2) school days of receipt of the report. The principal may assign other employees to assist in the investigation, or request that the superintendent assign an outside investigator. The investigation shall be completed within ten (10) school days from the date of the written report of bullying unless good cause exists to extend the investigation. No employee or student who reports an act of bullying shall be subject to reprisal or retaliation for making such a report. Any person who engages in reprisal or retaliation against an employee or student who reports an act of bullying shall be subject to disciplinary action.

The District shall give annual notice of the policy to students, parents or guardians, and staff. This policy shall be included in all student handbooks. This policy shall also be posted on the District's web page (as a Board policy) and a copy shall be placed in the District Administrative Office.

The District shall provide information and appropriate training to District staff who have significant contact with students regarding the policy. All staff with significant student contact shall be trained on the requirements of this policy on an annual basis.

The District shall provide education and information to students regarding bullying, including information regarding this policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to address bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying. The District shall instruct its school counselors, school social workers, licensed social workers, mental health professionals, and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques include but are not limited to, cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills or encouraging the student to develop an internal locus of control. District administrators will implement programs and other initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.

Students who are found to have violated this policy will be subject to consequences depending on factors such as: age of student(s), degree of harm, severity of behavior, number of incidences, etc.

BUSES, TRANSPORTATION, AND BUS CHANGE REQUESTS

Lincoln County R-III School District owns and operates its own buses. Any student living more than 1 mile from school has the privilege of riding the school bus. This

privilege is maintained by the student's proper conduct on the bus. State law says that classroom behavior is to be observed on the school bus and that the driver has the authority to control and discipline the students riding the bus as needed. Students are to go directly to their bus in the afternoon when school is dismissed.

Students who ride the Lincoln County R-III School District buses are to observe the following rules and instructions:

- Students will obey the driver.
- Students will remain seated in their assigned seat unless exiting the bus.
- Students will keep hands, feet, and all other objects to themselves and inside the bus.
- Students will use respectful language (at appropriate levels) at all times.
- Students will follow all rules and expectations as outlined in the student handbook.

If it becomes necessary for the driver to refer a student to the Principal's office for repeated infractions of these rules or any other form of behavior deemed inappropriate by the driver, the driver will fill out a Bus Conduct Report and deliver it to the Principal at the earliest possible time. The driver's description of the misconduct must be as specific as possible according to the way he/she witnessed it or perceived it through reports from reliable sources.

Bus Change Requests

For the safety of student riders and consideration of bus capacities, the use of bus passes will be granted for emergency situations ONLY.

CAFETERIA/COMMONS

Students are not to leave the cafeteria/ commons area during lunch; students should not be in the academic wings for any reason during their lunch period. Restrooms are located across from the main office next to the cafeteria/commons.

At no time are food or drinks allowed out of the commons. Students are to finish their entire lunch in the commons area and dispose of their trash. Students leaving the commons area during lunch without permission will be considered out of area as defined in the Code of Conduct. Students leaving campus during lunch will be considered truant as defined in the Code of Conduct.

2017 - 2018 Meal Pricing

Tray Lunch

Full Price	\$3.00
Reduced	\$0.40
Free	\$0.00
Adult	\$3.25

Lunch Meal Varieties

Entrée Only	\$1.50
Extra Entrée	\$1.25
Extra Side	\$0.85

Extra Milk	\$0.50
Extra Bread	\$0.20
<i>Enhanced Lunch Meals</i>	
Sandwich Central To-Go	\$3.20
Casa Amigo	\$3.20
Wrap-a-bles	\$3.20
Trattoria	\$3.20
Fresh Grille	\$3.20
Salads To-Go	\$3.20
Grab-a-Stack	\$3.20
Toast Post	\$3.20
Crust & Stuff	\$3.20
Ready Set Deli	\$3.20
<i>Breakfast Meals</i>	
Full Price	\$1.80
Reduced	\$0.30
Free	\$0.00
Adult	\$2.00
<i>Breakfast Meal Varieties</i>	
Entrée Only	\$1.30
Extra Entrée	\$1.25
Extra Side	\$0.75
Extra Milk	\$0.50
Extra Bread	\$0.20

Meal Charging Procedures

Lincoln Co. R-III School District and Chartwells School Dining Services serve students with quality, well-balanced meals at affordable prices. All students have a meal account that is used to keep track of student deposits and purchases. Parents can view the balances of their child's meal account via the SISK12 Parent Portal.

Your children may qualify for free meals or reduced price meals. Parents need to complete the Free and Reduced Meal Application for all students in the household. The completed application is returned to Donetta Schieffer, 951 West College St., Troy, MO 63379.

Below are the District's practices in accordance to Policy 5550 for high school students purchasing meals at school:

- High school students are not allowed to charge any meals.
 - If the meal account is negative, the student may receive a designated menu alternate for both breakfast and lunch.
 - No charges will be allowed for ala carte foods and beverages. Students must have funds available to purchase.
- Parents/guardians of students with negative balances will be contacted electronically, by correspondence, or by phone call by the building's administrative office or by the Food Service Department.
 - Email notifications will be sent weekly to parents of all students.

- Secondary students will be reminded verbally of their daily balance by the cashiers.
- On May 5 annually all charging will be cut off.
 - Parents/guardians will be contacted via phone calls, emails, and/or hard copy letter requesting "payment in full." If there are financial hardships, parents will be offered to set up a repayment plan for their student(s) by building office personnel.
 - All charges not paid before the end of the school year will be carried forward into the next school year.
 - Graduating seniors must pay all charges in full. Failure to do so may result in the delinquent student being denied participation in graduation ceremonies.
- Meal applications are included in Student Enrollment Packets and sent home with all students the first day of school. If a financial hardship is suspected, families will be encouraged to apply for free/reduced meals at any time during the school year.
- Each building principal will notify all parents of this policy via the student handbook. This policy will also be published on the District's website and communicated to all staff members and food service personnel.

COMPLIANCE STATEMENT - TITLE IX 86.34

This school will not provide any course or otherwise carry out any of its education program or activity separately on the basis of sex, or require or refuse participation therein by any of its students on such basis, including health, physical education, industrial, business, vocational, technical, home economics, music and adult education courses.

COMPLIANCE STATEMENT - SECTION 504 84.4

No qualified disabled person will, on the basis of disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any program or activity of this school which receives or benefits from federal financial assistance.

CONCEAL AND CARRY

Unless otherwise authorized by law, pursuant to Missouri Revised Statute 18 U.S.C. 921, no person shall knowingly possess, have under the person's control, convey or attempt to convey a deadly weapon or dangerous device into a school safety zone.

DANCES

School dances are open to District students in grades 9–12 who are in good standing. Students are required to present a valid school ID for admission. Dance guest applications must be filled out and returned to the main office for administrative approval prior to the date of the dance in order for non-District students to attend. Once students leave a dance, they may not return. Students must be in good academic standing, current on all fines and fees, and be in attendance at least ONE HALF of the prior school day to attend.

DELIVERIES

Lincoln County R-III Schools discourages any deliveries to students at school. No deliveries will be made to students during the school day. Should a delivery occur, the student may pick up the item after the school day in the office.

DRESS CODE

All students are asked to help themselves and their school to maintain a clean, neat, and tastefully dressed student body that contributes to the positive educational environment and the health and safety of all. Therefore head apparel (hats, hoodies, scarves, bandanas, etc.) is not to be worn in the building during school hours. Appropriate footwear is required at all times.

Students are not to wear articles of clothing, which are imprinted with suggestive or inappropriate graphics or statements or any clothing that is an advertisement for tobacco, drugs, or alcoholic beverages. Also, pins and "buttons" of this nature are not to be worn. Boxers, bedroom wear, sagging pants, or other immodest clothing (clothing that exposes underwear, bellies, bottoms, backs, etc.) that detracts from the learning process, should not be worn. Further, no clothing or personal grooming that disrupts, or can be forecasted to disrupt, the educational environment is permitted.

If, in the opinion of the administrators, any clothing or accessories are worn by students in violation of this policy, the students will be required to change or cover said clothing, or remove said accessories, or will be sent home to do so. Refusal to change or cover said clothing or accessories will result in the students not being allowed to attend class until they have complied with this policy.

Any student that violates the dress code will be subject to the consequences outlined in the Student Code of Conduct.

DRUG FREE SCHOOLS

Pursuant to requirements of the Safe and Drug-Free Schools and Communities Act, pursuant to the requirements of the Safe Schools Act, and for the purpose of preventing the use of alcohol, tobacco, and drugs by students and maintaining a safe and drug-free environment that supports student academic achievement, the District shall provide an age-appropriate, developmentally based drug and alcohol education and prevention program that will be incorporated into the total education program.

Such program will address the legal, social and health consequences of drug, tobacco and alcohol use, and provide information about effective techniques for resisting peer pressure to use drugs, tobacco and/or alcohol.

As permitted by law, the District will cooperate with government and private agencies offering services related to drug, alcohol and tobacco problems. The District will provide information about any drug and alcohol counseling and rehabilitation and reentry programs that are available to students. All parents/guardians and students shall annually be provided with a copy of this policy.

The District certifies that it has adopted and implemented the drug, tobacco and alcohol prevention program described in this policy in the form required by the Department of

Elementary and Secondary Education or the United States Department of Education. The District conducts a review of such program to determine its effectiveness, to implement necessary changes and to ensure that the disciplinary sanctions are consistently enforced.

DRUG AND ALCOHOL POLICY

The use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt of any unauthorized prescription drug, narcotic drug, controlled substance, illegal drug, counterfeit substance, and/or imitation controlled substance (collectively as used herein "drug(s)") is detrimental to the health and welfare of students and is detrimental to discipline in school. Such conduct at school, any school activity, or on a District-owned or approved vehicle is strictly prohibited. The use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt of alcohol is also prohibited, as is the use, possession, sale, distribution, transfer, purchase, and/or receipt of any drug-related paraphernalia. Violations of this policy will be subject to the disciplinary action set forth in the District's discipline policies and regulations, which may include student drug testing as set forth in Regulation 2642.

Pursuant to 29 U.S.C. 705(20)(c)(iv), a student with a 504/ADA disability who is currently engaging in the illegal use of alcohol or drugs is not considered a student with a disability under those laws, and the District may take disciplinary action – to the same extent that disciplinary action is taken against non disabled students – in relation to that use or possession of alcohol or drugs. In such cases, the due process procedures contained in the Section 504 regulations will not apply to protect those students. This provision does not apply to students who are identified as disabled under the Individuals with Disabilities Education Act.

However, school personnel may remove an IDEA disabled student to an interim alternative educational setting for not more than 45 school days without regard to whether that student's behavior is a manifestation of his/her disability where that student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the District's jurisdiction. "Illegal drug," as it pertains to the discipline of IDEA students, means a controlled substance but does not include a controlled substance that is legally possessed or used under the supervision of a licensed healthcare professional or under any other authority.

The determination of whether or not a student is under the influence of alcohol or a controlled substance is based upon a variety of information including but not limited to, physical appearances, speech patterns, and witnesses' statements. While not required, District administrators may request a student suspected of drug-related misconduct submit to a drug test as set forth in District policy and Regulation 2642. Conduct that includes the sale, transfer, distribution, use, possession or being under the influence of unauthorized prescription drug, alcohol, narcotic substance, counterfeit drugs as well as the possession of drug paraphernalia is prohibited and is subject to disciplinary action as set forth in the District's discipline policies and regulations.

Drug Violation Consequences

The use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt of any unauthorized prescription drug, narcotic drug, controlled substance,

illegal drug, counterfeit substance, and/or imitation controlled substance (collectively as used herein "drug(s)") at school, any school activity, or on a District-owned or approved vehicle is strictly prohibited.¹ The use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt of alcohol is also prohibited, as is the use, possession, sale, distribution, transfer, purchase, and/or receipt of any drug-related paraphernalia.

When an administrator has reasonable suspicion to believe a student has been using, is in possession of, under the influence of, has sold, distributed, transferred, purchased, and/or in receipt of any of the drugs set forth above or is in possession of drug-related paraphernalia, the student may be drug tested as set forth in Board of Education Policy and the "Drug Testing Procedures" section herein. The testing shall to be completed within twenty-four (24) hours (weekend exclusive) of parent/guardian notification. An administrative determination may be made to include student drug possession of "non-controlled" drugs within the same standards of treatment as "controlled" drugs as per an administrative assessment of the intent and purpose of the student's use, possession, being under the influence, sale, distribution, transfer, purchase, and/or receipt.

Students who engage in misconduct in violation of this Regulation and/or Board of Education Policy 2642 will be subject to the disciplinary consequences outlined below. A Student who receives a long term suspension for drug or alcohol-related misconduct may qualify for early readmittance under certain conditions set forth specifically below. Early readmittance is a voluntary choice which allows the student to return to school sooner and encourages education regarding the physical, mental and emotional harm caused by drug or alcohol abuse. Students who choose early readmittance shall have the length of his/her out-of-school suspension reduced so long as the student complies with the requirements for early readmittance.

Failure to comply with all the conditions of early readmittance, which may include negative results to random drug tests for a designated period of time, will result in subsequent offenses and the consequence of that offense will be imposed. A student who does not choose early readmittance will suffer no adverse consequences and will serve the length of the original suspension.

Drug Testing Procedures

The District will use a laboratory certified by the U.S. Department of Health and Human Services. The lab will first run an enzyme multiplied immunoassay technique "EMIT" test. If the EMIT test results are positive, the lab will run a gas chromatography-mass spectrometry "GCMS" test, a more sophisticated drug test that is standard in the industry.

For those Students who voluntarily consent to random drug tests following a suspension for drug-related misconduct, the time frame for these tests will be determined by random selection on any day of the month.

¹ Unless otherwise specified herein or in Board of Education Policy, terms herein will be defined as set forth in RSMo § 195.010. "Controlled substance" shall include any controlled substance, counterfeit substance or imitation controlled substance set forth in schedules I, II, III, IV and V in 21 U.S.C.812(c).

All currently available drug tests have the possibility of producing a "false positive." This means that if a Student is taking any over-the-counter prescription medications, the test may produce a positive reading. In addition, certain foods have been known to produce false-positive results. Consequently, the Student should disclose, prior to the test, to the school administrator and the testing center any such medications that the Student is taking. If the Student does not disclose such information prior to testing and a positive test results, the Student shall provide such information subsequent to testing in order to satisfactorily explain a positive result. A subsequent test shall be given if such information is not deemed satisfactory.

The laboratory will also test the sample for adulterants and forensically identify nitrite adulteration of the urine sample. The sample shall be tested for nitrite, pH, creatinine and specific gravity.

If laboratory results indicate a sample has been adulterated in any manner, a subsequent test shall be given. If the subsequent test again shows the sample has been adulterated, the test shall be considered positive.

Treatment/Rehabilitation

If a student is serving an out of school suspension for drug-related misconduct and has a voluntary drug test that indicates that the student's substance levels are not decreasing while being serviced in an accredited treatment/rehabilitation program, the student will remain on suspension until satisfaction of the conditions for early readmittance associated with his/her misconduct, or the end of the original length of the out of school suspension issued to the Student, whichever occurs first.

Payment for Testing

The Lincoln County R-III School District will pay for the testing done at its request. Any additional, independent tests from a state licensed, accredited facility submitted by the Student or custodial parent/guardian will not be paid for by the District. In addition, the District will not be responsible for the cost of any counseling or subsequent treatment. The District reserves the right not to recognize testing results from independent facilities and/or agencies.

ELEVATOR USE

An elevator key may be secured by completing a request form available in the main office. A \$5 deposit will be charged per key. The key must be returned when it is no longer needed or the deposit will be forfeited.

EMERGENCIES

In case of an emergency, do not try to handle it alone. Secure the aid of an administrator/teacher right away and then report the emergency to the main office as soon as possible. The office staff will know how to deal with an emergency situation and can secure aid sooner if informed properly and promptly.

FINAL EXAMS

All students will take a comprehensive exam in all classes at the end of each semester. Final Exams may not be taken early. Make-up dates will be announced at the end of each semester.

HALL PASSES

During class time students are not to be out of their classroom without a hall pass. Students must have a signed pass to leave a classroom. Leaving class without permission will result in disciplinary consequences.

HARASSMENT POLICY - Policy 2130

It is the policy of the District to maintain a learning environment that is free from harassment because of an individual's race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation. The School District prohibits any and all forms of unlawful harassment and discrimination because of race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation.

It shall be a violation of District policy for any student, teacher, administrator, or other school personnel of this District to harass or unlawfully discriminate against a student through conduct of a sexual nature, or regarding race, color, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation as defined by this policy.

It shall also be a violation of District policy for any teacher, administrator, or other school personnel of this District to tolerate sexual harassment or harassment because of a student's race, color, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation, as defined by this policy, by a student, teacher, administrator, other school personnel, or by any third parties who are participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of the School District.

For purposes of this policy, the term "school personnel" includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the District.

The school system will act to promptly investigate all complaints, either formal or informal, verbal or written, of unlawful harassment or unlawful discrimination because of race, color, sex, national origin, ethnicity, disability, sexual orientation, or perceived sexual orientation; to promptly take appropriate action to protect individuals from further harassment or discrimination; and, if it determines that unlawful harassment or discrimination occurred, to promptly and appropriately discipline any student, teacher, administrator, or other school personnel who is found to have violated this policy, and/or to take other appropriate action reasonably calculated to end the harassment/discrimination.

The District prohibits retaliation against a person who files a complaint of discrimination or harassment, and further prohibits retaliation against persons who participate in related proceedings or investigations.

LIBRARY MEDIA CENTER GUIDELINE

The Library Media Center has 25,000+ books, goreaders, ebooks, Nooks, and 20+ magazines for use by students and faculty. There are also games, puzzles, and crafts available to students for use.

Library Hours: 7:00 a.m. – 3:15 p.m.

Library Media Center Expectations

- When entering the Library Media Center, students should have a pass from the sending teacher. If the LMC is already full because of scheduled classes, students will be asked to return to class.
- Lunchtime passes will be limited, so students should plan on obtaining one from Mrs. Venneman or Mrs. Hoover before school begins.
- No food or drink in the LMC.

Book Check Out

There is no limit to the number of items a student may check out, as long as there are no overdue materials or fines. Materials are checked out for two weeks; weekends are not included in the possible dates due. Date due slips are placed in the materials. The fine for overdue material is \$.05 per day, per item. Students are requested to show their ID to check out library materials. Overdue notices are given weekly to Academic Lab teachers.

CLSA Young Readers Medallion

This medallion may be earned by those 16 years old and under. Students must read 16 books from a list of over 150 books. One of those books must be *Chautaugua: An American Utopia* by Jeffrey Simpson. Contact Mrs. Venneman in the Library for more information.

Destiny

Destiny is our online public access catalogue. Patrons may search by subject, author, title, or keyword. The catalogue is available on all networked machines in the building and through the district's website.

Epsilon Beta Library Club

Students who wish to help in the Library and desire to encourage young people to read may join Epsilon Beta. This includes helping keep the Library in order, shelving books, and planning activities for students. Epsilon Beta students participate in the Homecoming parade, plan activities for Teen Read Week and National Library Week, compete in Quiz Bowl and attend a two-day state convention. Students may compete for state offices when they attend the spring convention. Students belong to the local and the state club and may hold local and/or state offices.

Internet

The computer/internet usage agreement must be signed, on file, and followed. Wifi is also available.

Missouri Gateway Book Award

Each year, fifteen books are put on the reading list for the Gateway Award. These books have been written especially for young adults or written for adults, but with high interest to young adults. Students who read at least three of the books are allowed to vote for the winner in March. The winner is announced at the Missouri Association of School Librarians Convention in April. Students who read at least five by May 1st are recognized at the Awards Ceremony.

Online Databases

- Ebsco
 - At school: no password
 - At home: TBHS/trojans (if TBHS doesn't work, try troy)
- World Book
 - Username: tbhslib
 - Password: tbhslib
- SIRS (current issues)
 - Username: MO0686
 - Password: 63379
 - At home: <http://www.sirs.com> - customer # - MO0606H, password 63379
- 2facts.com (Includes World Almanac, Issues and Controversies, and Today's Science)
 - Username: TBHS
 - Password: trojans
 - World News Digest: News since 1940s
 - Today's Science: Current Science issues
 - Issues and Controversies: Current Issues

Reading Circle Certificate

High school students are eligible to earn a Reading Circle Certificate sponsored by the Missouri State Teachers Association and the Missouri Department of Elementary and Secondary Education. If a student has read at least 14 books during the school year, filled out the form, and returned it to Mrs. Venneman in the Library, he/she will receive a Reading Circle Certificate at the awards ceremony in the spring. Forms are due by May 1st.

LOCKER ASSIGNMENTS:

Students will be assigned lockers for the storage of books, clothing, personal items, etc. Students are not allowed to change lockers or share a locker with another student. The school is not responsible for lost or stolen items. Students are required to clean out their assigned locker at the end of the year. Maintaining and cleaning out gym lockers are the students' responsibility as well.

LOST AND FOUND ARTICLES:

The main office maintains lost and found articles. Students are asked to bring any articles that have been found to the office. Any items not claimed by the end of each semester, or when the volume of items dictates, will be donated.

MEDIA

Photography Notice:

Photographs and videos of students may be used for classroom projects, the district website, and other school-related purposes. If you do not wish your child to be photographed, please submit a written notice to your child's school, and we will ensure that their image is not used for these purposes. Parents will be notified in advance of individual student interviews for external media organizations or any other situations where an outside organization may be taking photographs of specific students. Public events such as athletics and concerts are not covered by this notice. Photos posted on our websites and social media accounts will not contain student names, unless such student is being identified as the recipient of an award or honored for an achievement.

Notice of Designation of Directory Information:

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Lincoln County R-III School District, with certain exceptions, obtains your written consent prior to the disclosure of personally identifiable information from your child's education records. However, Lincoln County R-III School District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Lincoln County R-III School District to include this type of information from your child's educational records in certain school publications. Examples include:

A playbill, showing your student's role in a drama production; annual yearbook; honor roll or other recognition lists; graduation programs; and sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information as Defined in Regulation 2400, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want Lincoln County R-III School District to disclose directory information from your child's educational records without your prior written consent, you must notify the District in writing within ten (10) school days of registration with the District. Lincoln County R-III School District has designated the following information as directory information:

Student's name, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended, and photographs.

MEDICAL INFORMATION

The school health program is under the direction of a licensed nurse. Each year you are required to complete a Health Inventory Form for each student. This information is viewed by the school nurse annually. In the event that your child has a medical diagnosis of asthma, diabetes, seizure disorder, or a severe allergy, you will need to complete additional forms. These forms can be obtained through the school nurse. It is important that all emergency contacts are up to date.

Medication Policy:

Standing Orders:

The Lincoln County R-III School District has worked with Dr. James Bockhorst to establish medical standing orders to service our students more efficiently. A signed standing order form allows the school nurse or designee to administer over the counter medication to your child. Only students whose parents/legal guardians have signed the form are allowed to be given medication. The medication available is listed on the standing order form. This form is sent home in the beginning of each school year. Additional forms can be obtained from the school nurse.

Prescription Medication and OTC Medication NOT listed on the Standing Order Form:

Medication will be given by designated school personnel only on orders of a physician and written authorization of a parent/legal guardian. Both prescription and over-the counter medication (not listed on the standing orders) must be brought in by the parent/ legal guardian in the original container. DO NOT allow your student to bring the medication to school. This permission must be renewed annually. The district will not administer the first dose of any medication.

First Aid:

The school attempts to provide the safest environment for children. If an accident does occur, the school nurse will render first aid and call parents or the family physician if she believes that further medical attention is needed. Any treatment beyond first aid will be the responsibility of the parents/legal guardian. Any injuries occurring at school should be reported to the office. In an emergency, the student will be taken to the Lincoln County Medical Center unless otherwise specified.

Illness at School:

If your student becomes ill at school, parents/guardians will be notified. The school will call the appropriate emergency numbers provided by the parents.

Your child will be sent home from school for the following signs/symptoms:

- Fever greater than 100.0 F – Student can return after fever free without medication for 24 hours.

- Difficulty breathing or wheezing without proper treatment or failure to respond to treatment. Student can return after proper treatment from physician.
- Diarrhea – Student can return after diarrhea free for 24 hours or a physician's note stating that is not due to a communicable disease.
- Vomiting – (two or more episodes) Student can return after 24 hours unless determined to be caused by a non-communicable condition.
- Rash with Fever or Behavior Change – Student can return after medical exam indicates these symptoms are not those of a communicable disease that requires exclusion.
- Eye drainage – Student can return when free of symptoms or a medical exam indicates student can return.
- Unusual Color of Skin, Eyes, Stool, or Urine – Student can return after a medical exam indicates the child does not have hepatitis A.
- Lice – If lice is found, students will be sent home until treatment is given. Students must remain at home until first treatment is completed **and** no live lice are seen. The school nurse works with families on how to get rid of lice and will perform a lice check upon return.

Immunizations:

All students attending public schools are required to comply with the state programs mandating immunization against specific diseases. Failure to comply with the District's immunization requirements will result in exclusion from school until proof of compliance is provided. (Policy 2850, Regulation 2850)

- If the student cannot receive the needed immunization(s) for medical reasons, a medical exemption card will need to be completed and signed by a physician and filed in the student's health record.
- If the parent/guardian objects to immunizations for religious reasons, an exemption card must be signed by the parent/guardian and verified by the school nurse. This must be renewed annually.

In the event of an outbreak, students who are exempt from immunizations for any reason will be excluded from school for their own protection and that of other students, in accordance with State Rule 13 CSR 50-101.0412. The only exception will be students with a signed letter from a physician saying they have already had the disease and have available laboratory confirmation of immunity.

OFF CAMPUS BEHAVIOR (POLICY 2600/2610)

This handbook governs conduct that takes place on school grounds or school property; on school buses and bus stops and on the way to and from school; and at school activities whenever and wherever they may take place. In addition, the School District reserves the right to impose disciplinary consequences for any student's conduct (whenever and wherever it may occur) if such conduct is prejudicial to good order and discipline in the schools or tends to impair the morale or good conduct of the pupils. Finally, the School District reserves the right to suspend any pupil who has been charged, convicted, or plead guilty in a court of general jurisdiction (Missouri Circuit Court or a Federal District Court) for the commission of a felony violation of state or federal law.

PASSING PERIOD

The time between classes is a transition from one class to the next. There is to be no loitering, students are to travel from one class to the next with possible stops at their lockers or the restroom as needed. Students are not to be in the parking lot or out of academic areas between classes.

PHYSICAL EDUCATION

Excuses:

Students requesting to be excused from physical education for medical or other reasons must have a written excuse from a doctor or parent. Grade reductions are made for parental excuses. There is no grade reduction for an excuse signed by a doctor. In order to be exempted from taking physical education, a physician's statement is required.

Locker Use:

A \$5.00 locker fee is charged for physical education lockers. This fee is returned when students turn in the lock at the end of the school year.

POSTERS/ANNOUNCEMENTS

An administrator must approve all posters or flyers prior to them being posted around the school or on school premises. School personnel who oversee activities or organizations making posters will guide the process. All announcements to be read over the intercom must be approved prior to them being read. Announcements will be posted across from the main office and read daily during morning announcements.

SAFE SCHOOL POLICY

It is our policy to ensure the highest possible standards of learning as well as the safety, health, and wellbeing of students and employees. We recognize that gang/hate groups and gang/hate group-related activities can substantially interfere with student and employee productivity. We are dedicated to preventing the influence of gang/hate group-related activities in our school and will accept zero tolerance for such activities.

The appropriate school officials reserve the right to punish any gang/hate group or person displaying gang/hate group-related behavior, which is subversive to good order, discipline and wellbeing in our schools.

Other behaviors which are disruptive, inappropriate or offensive (examples being hand signals of any kind, chains, sagging pants, bandanas, and radical hair color) may result in disciplinary action.

Students are subject to disciplinary action up to and including expulsion for serious misconduct away from school and school administration and outside normal school times for serious acts of misconduct, which may impact the school environment. Such misconduct will generally be disciplined pursuant to the District's disciplinary policy as if the misconduct had occurred at school.

SCHOOL SEARCH POLICY

To maintain good order and discipline in the schools and to protect the safety and welfare of students and school personnel, school administration may search a student, student lockers, or student automobiles under the circumstances outlined in the guidelines below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

A student's failure to permit searches and seizures as provided in this policy will be grounds for disciplinary action.

Guidelines:

The Person: a student's person and/or personal effects (i.e., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials. If after being informed of the basis for the school official's reason to search, the student does not consent and the circumstances permit, an attempt will be made to contact a parent or guardian and inform them of the circumstances. Even though the parent or guardian may not consent to the search, the school official may proceed with the search, and/or if necessary call law enforcement authorities. Ordinarily, and if circumstances permit, the search of a person or his/her effects should be conducted out of the presence of other students.

School Property: the school owns Student lockers, desks, and other such school property. The school exercises exclusive control over school property, and students should not expect privacy regarding items placed in school property, because school property is subject to search at any time by school officials. Students are responsible for whatever is contained in desks and lockers issued to them by the school.

Automobiles: students are permitted to park on school premises as a matter of privilege, not a right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of school vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside.

Seizure of Illegal Material: if a properly conducted search yields illegal or unauthorized materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Illegal or Unauthorized Materials: for purposes of this policy, "illegal or contraband materials" include all substances or materials, the presence of which is prohibited by school policy or state law, including, but not limited to, controlled substances, imitation controlled substances, drugs, drug paraphernalia, alcohol, or alcoholic beverages, abuse of glue, or creates an intimidating offensive or hostile work or education environment.

SECRET ORGANIZATIONS, FRATERNITIES, SORORITIES

Secret organizations, sororities or fraternities, where membership is determined by members themselves rather than on the basis of free choice can be determined to be detrimental to the conduct and discipline of the school. Such organizations or membership in those organizations are detrimental to the conduct and discipline of the school. Interference with the instructional program by those groups will not be condoned and no such organizational activities are permitted under the sponsorship of the District or its personnel.

STUDENT PARKING

All student parking is first come/first serve unless otherwise designated. Saving parking spots is not permitted. Sophomores are required to park by the athletic fields south of the bridge. Students are expected to park in designated spaces only. Numbered spaces are reserved for faculty and staff. A current PARKING PERMIT should be hung from the rear view mirror support so it is clearly visible from outside the vehicle while a student vehicle is parked on campus. The security of your permit & your vehicle is your responsibility. Lock your parked vehicle. With the number of students and vehicles in the lot, caution is expected at all times. The speed limit is 10 MPH.

Parking permits are not transferable and must be used solely by the student registered. The loaning of permits may result in disciplinary consequences for both parties involved.

Loitering or littering in the parking lot is prohibited

- Upon arrival, students should park, secure their vehicle, and enter the high school.
- Upon dismissal, students should leave the lot directly; re-parking is not permitted.
- Visiting the parking lot during school hours without permission from a Principal may result in disciplinary consequences.

TEXTBOOKS

Textbooks are furnished free of charge. However, if a student loses, defaces, or damages a textbook or other materials, he/she will be required to pay for such.

VALUABLE PERSONAL PROPERTY

TBHS is not responsible for any personal property brought to school by students. It is advised that valuable personal property and large amounts of cash not be brought on school premises. Personal property should not be left unattended and should be secured in your locker. TBHS is not responsible for recovery, reimbursement or replacement of lost, stolen or damaged personal property. Student personal property includes, but is not limited to, purses, wallets, watches, jewelry, bookbags, credit cards, cash, checks, electronic devices, notebooks, books, and band instruments.

VANDALISM - POLICY 2654

Willful damage or the attempt to cause damage to real or personal property belonging to the school, staff, or students.

Any student committing an act of vandalism to any school building, school equipment, school furnishing, or school real property, or to the property of any staff member or student will be required to make monetary payment in the amount required for material and labor to repair or replace the damaged property. This does not prohibit further punitive action by the Board of Education, which grants authority to appropriate school personnel to initiate legal proceedings, in accordance with Missouri School Law and Missouri Revised Statutes, against any student who willfully vandalizes any real or personal property belonging to the school, staff, or students.

VISITORS

Per Policy 1430: Principals and teachers shall welcome and encourage visits by parents/guardians, Board Members, volunteers, and patrons of the schools. All visitors shall report to the Principal's office upon entering the building so that the office will be aware of their presence. When a patron of the school has a need for a conference with a

teacher or counselor, an appointment should be made so the staff member may proceed with his/her assigned duties without undue interruption. Groups of visitors wishing to visit the school or facilities shall notify the Superintendent as far in advance as possible.

Students dismissed earlier in one school than others are not permitted to be on the grounds of any other school in the District. All persons who do not obtain permission from the Principal's office to visit the school, or visitors who create serious distractions to the learning environment in the building or on the premises, shall be considered trespassers and subject to arrest and prosecution.

In order to minimize the potential harm to staff and students, persons listed on the sex offenders list may not be present in any school building, or on District property, in any District vehicle utilized to transport students, or be present at school activities without the written permission of the Superintendent. If permission is granted for a specific event or events, the Superintendent will notify the Principal, where the sex offender will be present.

Observations by Parents, Advocates, or Others

Under applicable state and federal law, a parent does not have a right to observe his/her child in the educational setting. However, if a parent, advocate or other person wishes to conduct an observation of any child, activity, teacher, or classroom, he or she must submit a written request to the building Principal, within five school days of the date he or she wishes to observe, with the following information:

- The name and position of the individual(s) who will be observing;
- The date and time he or she wishes to observe;
- The amount of time he or she wishes to observe;
- The specific purpose for which he or she wishes to observe.

The building Principal must then grant written permission for the observation to occur. The District reserves the right to deny any observation that it believes will disrupt the educational environment or may lead to a direct or indirect release of personally identifiable information about a student or students. The Building Principal or other Administrator will provide a written or verbal explanation of its decision prior to the requested observation date.

Conduct of Adult Visitors

Per Policy 1431: In order to ensure a safe and orderly environment in which our students can maximize their educational and social development, the following regulations are enacted with respect to the conduct of adult visitors:

- Verbally aggressive behavior, which would include, but not be limited to, threats, intimidation and profanity, will result in a loss of access to school premises.
- Physical or violent behavior will result in a ban from school premises and activities and will be referred to law enforcement.
- Failure to comply with the restricted access provided in these regulations will result in the filing of civil and/or criminal charge.

STUDENT SERVICES

A+ SCHOOLS PROGRAM

If state funds are available and our high school continues designation as an A+ School prior to graduation, students may receive reimbursement for college expenses as determined by the Missouri General Assembly while attending a Missouri public community college or public vocational/technical school on a full-time basis. This reimbursement may be for the unpaid balance of the cost of tuition subject to legislative appropriation. This financial assistance is on the condition that the following requirements are met:

- Attend an A+ designated school for three (3) consecutive years immediately prior to high school graduation.
- Graduation from high school with a grade point average of 2.5 or higher on a 4.0 scale (non-weighted GPA).
- Have at least 95 percent attendance record for the four-year period. Graduate with 50 documented hours of unpaid tutoring of students in approved settings.
- Maintain a record of good citizenship and avoid the unlawful use of drugs and alcohol.
- Make a good faith effort to secure federal post-secondary student financial assistance funds during the last semester of senior year. Complete and submit the FAFSA form. (Social Security number required)
- All males who reach their 18th birthday must register for the Selective Service. (This is a federal requirement regardless of whether you enroll in the A+ program or not).
- Students must score Advanced/Proficient on one of the following End of Course Exams (EOC): Algebra I, Algebra II, or Geometry. Additional alternatives may include a minimum math subscore of 17 on the ACT, 43 on Compass Pre-Algebra, or 1 on Compass Algebra I.

To maintain eligibility after high school graduation, the following requirements must be met:

- Enroll and attend on a full-time basis a Missouri public community college or public vocational/technical school.
- Maintain a grade point average of 2.5 or higher on a 4.0 scale.
- Make a good faith effort to secure federal post-secondary student financial assistance each year.

ASSEMBLIES

Students must sit in the section assigned to their class. Students are expected to behave appropriately and give courteous attention at all times.

COMMUNITY YOUTH VOLUNTEER (CYV)

Students may volunteer for service organizations in the community during one block of their schedule. CYV Coordinator matches students to service organizations based on community needs. Student, Service Organization Supervisor, and Parent/Guardian must all sign and adhere to the CYV Training Agreement. Students are responsible for their own transportation to and from the service organization. It is expected that students spend the entire block, with the exception of travel time, at their respective Volunteer location. Service Supervisors are responsible for providing the student volunteer with job responsibilities associated with their assignment. Grade is based on attendance, performance evaluation, and semester reflections. CYV may not be taken in the same semester as A+ Tutoring. To qualify for CYV students must maintain a 2.5 GPA, be on

track to graduate, have a 95% attendance rate (<9 absences per year) and a positive discipline record.

CONDUCT GRADES

Guidelines for determining conduct grades, which are recorded on student grade cards are as follows:

- **Excellent:** Indicates superior and consistent respect for school authority, property, fellow students and self and demonstration of self-motivation, responsibility for self and others, cooperation, sportsmanship, punctuality, honesty, and service.
- **Good:** Indicates citizenship, behavior, and attitude above typical conformity to classroom rules and regulation, but not to a level of excellence.
- **Average:** Indicates typical conformity to classroom rules and regulations.
- **Needs Improvement:** Indicates behavior and attitudes that are substandard for the peer group.
- **Poor:** Indicates behavior and attitudes that are detrimental to self and/or the peer group.

CREDIT RECOVERY

Students who fail a core class may be eligible to recover the credit using ALS software during Ac Lab or ELP. Courses offered are:

DUAL CREDIT/ADVANCED PLACEMENT COURSES

Students at TBHS have the opportunity to earn college credit. All courses are facilitated at TBHS by a college professor from their respective universities. Students can enroll in classes through; Missouri Baptist University, St. Charles Community College, Missouri Southern State University and University of Missouri- St. Louis.

Payment for dual credit courses must be made within three weeks of the start of the semester. Failure to make payment will result in the student being removed from the class.

Advanced Placement (AP) courses are offered in Calculus, Economics, English Literature, Environmental Science, French, Music Theory, Psychology, Spanish, Studio Art and World History. These classes are taught by TBHS faculty who have obtained AP certification. Curriculum is provided by the College Board and is designed to prepare students for a comprehensive assessment administered in early May. The examination is scored on a 5 point scale used by universities and colleges to award credit. Students that have not paid to take the AP exam in the spring will not be allowed to sit for the exam.

FEES

Students will be required to pay for materials used in Industrial Technology, Art, Agriculture, and Family and Consumer Sciences to make projects, which will belong to them when completed.

GRADE CLASSIFICATION

Assignments to grade level classifications are made on the basis of accumulating credits to be on track for graduation in 4 years:

Sophomore	7 ½ – 14 ½ units of credit
Junior	15 – 22 ½ units of credit

Senior

23 units of credit

GRADE REPORTING, SCALE AND WEIGHTED GRADES

Report cards are issued every nine weeks (quarterly). Recorded on each student's grade card will be the academic and conduct grades for each subject, current grade point average, accumulative grade point average, and number of days he/she has been absent. The current grade point average is based on the 1st semester and the 2nd semester grades.

The following grading scale is used at Troy Buchanan High School:

95-100 = A	80-82 = B-	67-69 = D+
90-94 = A-	77-79 = C+	63-66 = D
87-89 = B+	73-76 = C	60-62 = D-
83-86 = B	70-72 = C-	Below 60 = F

Weighted Grades:

The purpose of having weighted grades is to encourage our students to enroll in our most rigorous courses in order to maximize their preparation for post-secondary education. A student must earn a C- or higher to receive a weighted grade in courses identified as Tier 2 or 3.

Definitions:

AP Courses – Advanced Placement (AP) courses approved through the College Board.

Dual Credit Courses – Courses offered for credit by Missouri Baptist University or St. Charles County Community College (SC) through an agreement with TBHS and are taught by college professors.

Formula – The weight from a weighted course will be added to the GPA prior to averaging of the GPA.

Honors Course – Courses that are more rigorous and designed for high-achieving, college-bound students.

Tier 1 (no weight):

Diploma track courses not listed in Tier 2 or Tier 3.

Tier 2 (0.5 weight per semester):

English	American Novels, College Prep English 1, College Prep English 2, World Literature
Social Studies	Psychology 2, Sociology 2
Math	Algebra 3, Probability and Statistics, Introduction to Calculus, Trigonometry
Science	Anatomy/Physiology, Chemistry, PLTW Human Body Systems, Physics, Principles of Biomedical Science, Zoology

Electives

Advanced Accounting, Advanced Computer Science, College Business Tech, Computer Integrated Manufacturing, Engineering Design and Development, French 3, French 4, Introduction to Engineering, Journalism/Yearbook, Principles of Engineering, Spanish 3

Any Dual Enrollment Course through our partnering colleges and universities (Missouri Baptist University, St. Charles Community College, Missouri Southern State University and University of Missouri- St. Louis) fall into Tier 2.

*See the Course Description Booklet for specific details of each course.

Tier 3 (1.0 weight per semester):

English	AP English Literature and Composition, Honors English 1, Honors English 2
Social Studies	AP Psychology, AP World History
Math	AP Calculus, Honors Algebra 2
Science	AP Environmental Science, Honors Biology
Electives	AP Economics, AP Music Theory, AP French AP Spanish, AP Studio Art

GRADUATION EXERCISE

Commencement is a privilege not a right. In order to participate in commencement exercises, a student must have successfully completed all Lincoln County R-III School District graduation requirements. Students who fail to meet all graduation requirements will not be allowed to participate in graduation exercises. Students who fail to complete the graduation requirements in four (4) years have options that include:

- Return to school and complete the credits in which they are deficient.
- Complete the credits in which they are deficient via correspondence.
- Enroll in the Credit Recovery Program and complete the credits in which they are deficient on campus utilizing A+LS software.

GRADUATION REQUIREMENTS**Total Unit Requirement:**

Possible Credits - 36

Required Minimum for Graduation - 31

The Board has adopted the following graduation requirements and diploma options commencing with the class of 2008:

	REGULAR DIPLOMA	GOLD SCHOLAR
English	4	4

Social Studies	3	4
Math	3	4
Science	3	4
Practical Arts	1	1
Fine Arts	1.5	1.5
Physical Education	1.5	1.5
CYV or MEI	0	1
Health	0.5	0.5
Personal Finance	0.5	0.5
Elective	13	14
TOTAL	31	36

Additional Graduation Requirements:

The following are required by the Missouri Department of Elementary and Secondary Education for graduation:

- 1 unit of American History
- Pass U.S. Constitution Test (This will be given in 11th grade social studies)
- Pass Missouri Constitution Test (This will be given in 11th grade social studies)
- CPR Certification

Attendance Requirement:

The Missouri State Department of Elementary & Secondary Education recommends eight (8) semesters of attendance; therefore, in accordance with that recommendation, all TBHS students will be highly recommended to attend eight (8) semesters in grades nine (9) and above, except that permission will be granted to graduate after seven (7) semesters of attendance as provided for in Policy 2540 – Early Graduation. In addition, any graduate wishing to participate in graduation exercises is required to attend graduation practice the Friday before graduation.

Early Graduation:

Permission may be granted to graduate after seven (7) semesters of attendance by completing no more than three (3) outside units of approved high school credit and meeting all other specific requirements. Seven-semester graduates will be allowed to participate in graduation ceremonies at the end of the school year. Early graduates will be treated as graduated students for all other activities. Early graduation should be a part of a cooperative plan arrived at by students, their parent/guardian and the school. Applications for early graduation must be submitted to the building Principal by October 15th of the student's seventh semester.

School Flex Program

Eligible students may pursue a timely graduation from high school through the School Flex Program. Eligible students participating in the School Flex Program will be considered full-time students. To be eligible to participate in the School Flex Program, an eligible student must:

- Attend school a minimum of two instructional hours per school day within the District.
- Pursue a timely graduation.
- Provide evidence of college or technical career educational enrollment and attendance, or proof of employment and labor that is aligned with the student's career academic plan developed by the District.
- Refrain from being expelled or suspended while participating in the School Flex Program.
- Pursue course and credit requirements for a diploma.
- Maintain a 95% attendance rate.

Gold Scholar

Only Gold Scholar Diploma recipients are eligible for Valedictorian or Salutatorian designation. In addition to the credit requirements listed above, a student must achieve the following to receive a Gold Scholar diploma:

- Complete a minimum of 12 Honors courses with at least 1 honors course in core areas of English, Math, Science and Social Studies.
- Complete 2 units of Foreign Language
- Complete 1 credit of cooperative education (CYV, A+ Tutoring, MEI, SBE, Ag Coop, School Flex, Advance Computer Science)
- All math units must be Algebra I or higher.
- Maintain a 3.50 (weighted) cumulative grade point average.

Students must also achieve 2 of the following:

- Score proficient or advanced on all of the required End of Course (EOC) exams needed to fulfill DESE graduation requirement.
- Score a minimum of 23 on ACT or SAT equivalent.
- Demonstrate active membership (in good standing) in at least 2 separate TBHS extracurricular/co-curricular activities each year for any three years during high school career.
 - Membership in a sport or activity for one season constitutes a year.

GUIDANCE DEPARTMENT

Troy Buchanan High School offers the services of a guidance department to each student. The counselors objective is to assist students in securing an education.

Guidance Services Offered:

- Assist students in realistically appraising themselves and the world of work.
- Aid students in deciding whether or not go to college and in choosing a school, which will best fit their needs.
- Assist students in obtaining scholarships and financial aid to further their education.
- Assist students in finding employment through various agencies.
- Aid students in their attempt to identify and eliminate causes of academic difficulties.
- Assist students in identifying and solving problems of a personal nature.

- Assist students in choosing high school subjects, which will give them the education they need.

ACT Test Dates:

TBHS students have the opportunity to take the ACT on the dates below. Please visit the guidance department for registration information.

*September 9, 2017	*February 10, 2018	June 9, 2018
*October 28, 2017	April 14, 2018	July 14, 2018
December 9, 2016		

* Hosted at Troy Buchanan High School

HONOR ROLL

In order to recognize students who demonstrate superior achievement, an honor roll is prepared for the 1st quarter, 1st semester, 3rd quarter, and 2nd semester. In order to attain recognition on the "B" honor roll, a student must have a grade point average of 3.0 to 3.49 for the most recent grading period. In order to attain recognition on the "A" honor roll, a student must have a grade point average of 3.5 or above for the most recent grading period.

NATIONAL HONOR SOCIETY

Students who have a 3.50 cumulative grade point average or better for three consecutive semesters and no "I" or "F" semester grades are eligible for the National Honor Society. Students who qualify on this basis are also evaluated on character, leadership, and service by their teachers.

PARKING

Students who are in good academic standing and current on all fines and fees are eligible to drive to school and park on campus as a matter of privilege with a valid permit. To obtain a permit, students are required to submit \$25, proof of insurance, a copy of driver's license and a completed parking permit application to the main office. Spaces are available each day on a first come basis with sophomores required to park across the bridge at the bottom of the lower student lot. Parking regulations can be found under General Expectation and for consequences see Code of Conduct.

RESIDENCY

Pursuant to Public School Laws of Missouri (167 RSMo), students attending Troy Buchanan High School must be a permanent resident within the defined Lincoln County R-III School District boundaries and reside with their parent(s) or court appointed legal guardian within such boundaries.

SCHEDULE CHANGES

Requests to drop a course may be approved by an administrator after an exchange of information involving the student, parent, teacher, and counselor. Dropping a course after the first progress report of the semester may result in a failing grade pending teacher recommendation.

It is strongly recommended that change requests be submitted prior to the first day of school. Any changes to a student's schedule after the first day of school must be approved by administration and only on an emergency basis.

SOCIAL PROBATION

Any student who has three or more "F's, NC's, or I's" at the end of each quarter/semester will be placed on social probation for the following quarter. The student also forfeits his/her privilege to attend extra-curricular activities as well as parking privileges until the next grading period. Students have an opportunity to regain privileges if they are passing all classes at the next progress report time.

Students will be given conduct grades in all of their classes. Students who receive two (2) or more conduct grades of "5" during a grading period will be placed on social probation for the following grading period. While on social probation, a student forfeits his/her privilege to attend extra-curricular activities as well as parking privileges until the next grading period. The student can only attend his/her academic classes during the normal school day.

STUDENT COUNCIL

The Troy Buchanan High School Student Council has as its goals to provide for student participation in school government, to unify all students under one governing body, to establish better understanding between faculty and students, to create a greater sense of responsibility, and to promote the general welfare of our school. Student Council officers and representatives will be elected in a two-tiered election each spring.

STUDENT IDENTIFICATION

All students are required to obtain a student identification card. An ID card is provided to each student at no cost. There is a \$5 fee for replacing a lost card. Students are to have their student identification card in their possession during school (library, etc.) and at all school functions (dances, ballgames, etc.).

SUMMER SCHOOL

Course offerings will be determined in the spring. Students enrolled in summer school will be subject to the same expectations as the regular school year.

EXTRA-CURRICULAR ACTIVITIES

There are many extra-curricular activities available to students at Troy Buchanan High School. Below is a list of these activities. Some activities have requirements for joining. For more information, contact the coach or club sponsor.

ATHLETIC ELIGIBILITY

The District provides opportunities for individual students to grow physically, socially, and intellectually through their experience in self-discipline and their contribution to a team that is made possible through competitive interscholastic athletics. The purpose of secondary school athletics is both educational and recreational.

Interscholastic athletic competition for secondary school students is to be provided in a variety of sports. Students are allowed to attain the privilege of representing their school in interscholastic athletics by meeting the standards of eligibility as set forth by the Missouri State High School Activities Association (MSHSAA).

While extra-curricular activities do offer educational experiences, they are a privilege. As such, extra-curricular activities may be withheld from any student as a condition of

discipline. Furthermore, all policies that apply to the regular school day apply also to extra-curricular activities. In addition, coaches and sponsors may establish policies for their groups in addition to those stated herein. Students demonstrating unacceptable behaviors may be suspended from participation in extracurricular activities.

For specifics regarding protecting your eligibility, refer to the Activities Handbook found on the Troy Buchanan High School website (www.troy.k12.mo.us/domain/121)

SCHOOL	CLUBS	AND	ORGANIZATIONS
Archery	FFA		Publications/Yearbook
Art Guild	Film Crew		Rachel's Challenge
Choir	French		Robotics
Color Guard	Gay/Straight Alliance		SAaM
DECA	International Club		Serious About Science
Debate	Jazz Band		Science Olympiad
Drama	Key Club		Sewing
Epsilon Beta	Literary Guild		Spanish
Fandom Freaks	Magic Club		Speech/Debate
FBLA	Marching Band		Student Council
FCA	Mu Alpha Theta		Super Fans
FCCLA	NHS		TBHS Travelers
FEA	Photography Club		TSA

MSHSAA ACTIVITIES

Band, Cheerleading, Choir, Dance, Scholar Bowl, Speech and Debate

MSHSSA SPORTS

Girls

Fall: Cross Country, Golf, Softball, Tennis and Volleyball
Winter: Basketball and Wrestling
Spring: Soccer and Track

Boys

Fall: Cross Country, Football, Soccer
Winter: Basketball and Wrestling
Spring: Baseball, Golf, Tennis and Track

ATTENDANCE REQUIREMENT

According to MSHSAA By-Law 2.2.3, a student shall not be considered eligible while under **suspension**. This includes in-school and out-of-school suspensions. The student who is expelled or who withdraws from school because of disciplinary measures shall not be considered eligible for 365 days from the date of expulsion or withdrawal. If a student misses classes) without being excused by the principal, the student shall not be considered eligible on that date. Further, the student cannot be certified eligible to participate on any subsequent date until the student attends a full day of classes (or has an excused absence from class) without an unexcused absence. Each school has the authority to set standards that are more restrictive and shall have the authority to judge its students under those standards.

To be eligible to participate in or attend an evening contest or activity at TBHS, a student must attend two full blocks of the school day. If the activity is on a weekend or holiday, the last student attendance day will be used to determine eligibility. Extenuating circumstances require prior administrative approval for participation or attendance.

In the event that a student is assigned an afternoon detention period as the result of a classroom problem, the detention MUST be served before the student can return to an extracurricular activity. He/she is not allowed to use the excuse of "I have practice, so I can't stay." THE CLASSROOM OBLIGATION ALWAYS COMES FIRST.

PUBLIC NOTICE

This notice can be provided in languages such as Chinese, Spanish, Arabic, Vietnamese, or any other language as may be necessary.

EQUAL EDUCATIONAL OPPORTUNITY

All public schools are required to provide a free and appropriate public education to all students with disabilities, including those attending private or parochial schools, beginning on the child's third birthday through age twenty (20), regardless of the child's disability. The Lincoln County R-III School District assures that to comply with the full educational opportunity goal, services for students ages three (3) through twenty-one (21) will be fully implemented by 1999. Disabilities include: learning disabilities, mental retardation, behavior disorders/emotional disturbance, speech disorders (voice, fluency, or articulation), language disorders, visually impaired, hearing impaired, physically/other health impaired, multiple disabilities, deaf/blind, autism, early childhood special educations, and traumatic brain injury.

The Lincoln County R-III School District assures that it will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri's First Steps Program.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the confidentiality of a student's educational record. It also requires school receiving federal money to provide access to their child's records and allows them to request modification of the child's educational records. This right is also extended to students the age of 18 and older.

All public schools are required to provide parents the right to inspect and review personally identifiable information collected and used or maintained by the district relating to their children. Parents have the right to request amendment of these records if they feel the information is inaccurate, misleading, or violates the privacy or other rights of their children.

Parents have the right to file complaints with the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA). You may contact your local district if you wish to review the requirements provided in FERPA.

LOCAL COMPLIANCE PLAN

The Lincoln County R-III School District has developed a Local Compliance Plan for implementation of Special Education, and this plan is available for public review during regular school hours on days school is in session in the Office of the Superintendent of Schools. The Local Compliance Plan is a written narrative that describes the District's plan for compliance with the requirements for identifying and serving all students with disabilities. Included in this plan are the policies and procedures, which the District must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information. The plan also describes the assurances that services are provided in compliance with the requirement of 34 CFR 76.301 of the General Education Provision Act.

Public schools in the State of Missouri are required to conduct an annual census of all children with disabilities or suspected disabilities from birth through age twenty (20) who reside in the district or whose parent/legal guardian resides in the district. This census is compiled as of May 1 each year. This information is treated as confidential and is submitted to the Missouri Department of Elementary and Secondary Education. Information to be collected includes: name of each child; parent/legal guardian's name/address; birth date and age of each child; and each child's disability or suspected disability. Should the district fail to submit an annual census, the State Board may withhold state aid until the census is submitted. If you have a child with a disability or know of a child with a disability who is not attending the public school, please contact your school district.

NOTICE OF NONDISCRIMINATION

The District does not discriminate on the basis of race, color, national origin, ancestry, religion, sex, disability, age, genetic information, or any other characteristic protected by the law in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following have been designated to handle inquiries regarding the non-discrimination policies:

District Compliance Officers:

Equal Opportunity Employment
Director of Human resources, Sarah Schmanke
Central Office (636)462-5194

American with Disabilities Act (ADA), and Section 504
Director of Student Services, Kevin Conner
Central Office (636)462-4981

Title IX:
Director of Human Resources, Sarah Schmanke (Staff)
Central Office (636)462-5194
Director of Student Services, Kevin Conner (Students)
Central Office (636)462-4981

Homeless Students:
Director of Registration, Connie Werkmeister

Central Office (636)462-4930

The District's policy and procedures detailing the District's Prohibition Against Harassment, Discrimination, and Retaliation are set forth in the Board of Education Policy & Regulation 1300. District Board of Education Policies can be found on the District's website and/or available in the District's Central Office at 951 West College, Troy, Missouri 63379.

For further information about anti-discrimination laws and regulations, or to contact the Office for Civil rights in the U.S. Department of Education (OCR) regarding the District's compliance with anti-discrimination laws and regulations, please contact OCR at One Petticoat Lane, 1010 Walnut Street, Kansas City, Suite 320, Missouri 64106, (816)268-0550 (voice), or (877)521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

Troy Buchanan High School 2017-18 Handbook Awareness Statement

My signature below indicates that I have received and read the 2018-19 Troy Buchanan High School Student Handbook and have read the Code of Conduct and Attendance Policies.

Parents should inform the school of changes in residence, custody, and phone numbers (home, work and/or emergency numbers).

Academic Lab Teacher _____

Student's Name (Print) _____ Grade _____

Student's Signature _____ Date _____

Parent's Signature _____ Date _____

STUDENTS

Discipline

Suspension

Policy 2662
(Regulation 2662)
(Form 2662)

Suspension refers to an exclusion from school for a specific period of time short of permanent exclusion. Building principals are authorized to suspend students for periods of time not to exceed ten (10) consecutive school days for violation of District regulations, and are authorized to impose additional suspensions of not more than 10 consecutive school days in the same school year for separate acts of misconduct. Building principals may also recommend extensions of suspension for periods of time up to 180 consecutive school days by the Superintendent. The Superintendent of schools may suspend students for periods up to 180 consecutive school days and recommend longer suspensions and expulsions to the Board of Education. Only the Board may impose suspensions in excess of 180 consecutive school days.



STUDENTS

Regulation 2662 **(Form 2662)**

Discipline

Suspension

Students are expected to conduct themselves in accordance with Board Policy 2600. Failure to do so may result in a student's suspension or expulsion from school.

A building principal may suspend a student for a period not to exceed ten (10) consecutive school days. Any suspension shall be reported immediately, in writing, to the student and the student's parent/guardian or others having custodial care of the student. A copy will be forwarded to the Superintendent. The Superintendent may revoke or reduce the suspension if the Superintendent concludes that circumstances warrant such action.

When a student is suspended, the principal/designee shall attempt to reach the student's parent/guardian to inform them of the school's action and to request that they pick up their child. If the parent/guardian is unable to pick up their child, the principal/designee may ask the parent/guardian for permission to send the student home. If the parent/guardian cannot be reached or if the above request is refused, the student must remain on school property until the close of the school day.

If the principal decides that a suspension in excess of ten (10) consecutive school days is warranted, the principal may petition the Superintendent for such suspension.

The Superintendent of Schools may suspend a student for a period not to exceed 180 consecutive school days.

No student shall be suspended by a principal or by the Superintendent unless:

1. The student shall be informed, orally or in writing, of the charge against him/her, and
2. If the student denies the charge, he/she shall be given an oral or written explanation of the facts which form the basis of the proposed suspension, and
3. The student shall be given an opportunity to present his/her version of the incident to the principal or Superintendent.

A student who is on suspension may not be within 1,000 feet of any school property unless he/she lives within 1,000 feet of the school, has a parent with him/her, or has been requested by the administration to attend a meeting at the school, or any activity of the District, regardless of whether or not the activity takes place on school property, unless the Superintendent/designee has authorized the student to be on school property. This restriction does not apply to suspended

students enrolled and attending an alternative school which is within 1,000 feet of a District school.

If a suspension is ordered by the Superintendent for more than ten (10) consecutive school days, the Superintendent's order may be appealed to the Board of Education if written notice of appeal is delivered to the office of the Board of Education within five (5) days of receipt of the Superintendent's suspension letter. If such suspension is appealed, the Superintendent shall promptly provide the Board with a report of the facts involved in the suspension, the action taken by the Superintendent, and the reasons for the Superintendent's decision.

In such event, the suspension shall be stayed until the Board renders its decision, unless in the judgment of the Superintendent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the student may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

Any appeal to the Board of Education of the Superintendent's decision to suspend a student for more than ten (10) consecutive school days may be heard and determined by the full Board or by a quorum thereof, or by a committee of three Board members appointed by the President of the Board. Such committee shall have full authority to act in lieu of the Board.

Students will be readmitted or enrolled after expiration of their suspension from the District or from any other district only after a conference has been held to consider prior misconduct and remedial steps necessary to minimize future acts of similar misconduct. (See Policy and Regulation 2664 – Enrollment or Return Following Suspension and/or Expulsion.) Participants in such pre-admission conferences will include:

1. Any teacher directly involved in the suspension offense.
2. The student.
3. The parent/guardian.
4. The representative of any agency having legal jurisdiction, care, custody, or control of the student.
5. District staff members designated by the Superintendent/designee.

<p>Note: For suspensions involving disabled students under Section 504 or the IDEA, see also Policy and Regulation 2672.</p>

STUDENTS**Policy 2655**
(Form 2655)**Discipline****Bullying**

The District is committed to maintaining a learning and working environment free of any form of bullying or intimidation. Bullying is strictly prohibited on school grounds, or school time, at a school sponsored activity or in a school related context. Bullying is the intentional action by an individual or group of individuals to inflict intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting acts of bullying.

Cyberbullying means bullying as defined above through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. The District may prohibit and discipline for cyberbullying that originates on any District campus or at a District activity if the electronic communication was made using the school's technological resources, if there is a sufficient nexus to the educational environment, or if the electronic communication was made on the District's campus or at a District activity using the student's own personal technological resources. Further, students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline.

Bullying, as defined in this policy, is strictly prohibited. Students are encouraged to report any incident of bullying which they have witnessed or incurred, by contacting their building principal. District employees are required to report any instance of bullying of which the employee has witnessed within two (2) school days of the occurrence. Employees shall report the occurrence to the building principal, who is the person the District designates to receive reports of incidents of bullying. A principal who receives a report of an incident of bullying shall initiate an investigation into the allegations within two (2) school days of receipt of the report. The principal may assign other employees to assist in the investigation, or request that the superintendent assign an outside investigator. The investigation shall be completed within ten school days from the date of the written report of bullying unless good cause exists to extend the investigation. No employee or student who reports an act of bullying shall be subject to reprisal or retaliation for making such a report. Any person who engages in reprisal or retaliation against an employee or student who reports an act of bullying shall be subject to disciplinary action.



Students who are found to have violated this policy will be subject to consequences depending on factors such as: age of student(s), degree of harm, severity of behavior, number of incidences, etc. Possible consequences to a student for a violation of this policy include: loss of privileges, classroom detention, conference with teacher, parents contacted, conference with principal, in-school suspension, out-of-school suspension, expulsion and law enforcement contacted.

The District shall give annual notice of the policy to students, parents or guardians, and staff. This policy shall be included in all student handbooks. This policy shall also be posted on the District's web page (as a Board policy) and a copy shall be placed in the District Administrative Office.

The District shall provide information and appropriate training to District staff who have significant contact with students regarding the policy. All staff with significant student contact shall be trained on the requirements of this policy on an annual basis.

The District shall provide education and information to students regarding bullying, including information regarding this policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to address bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying. The District shall instruct its school counselors, school social workers, licensed social workers, mental health professionals, and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques include but are not limited to, cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills or encouraging the student to develop an internal locus of control. District administrators will implement programs and other initiatives to address bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.

STUDENTS

Policy 2610

Discipline

Misconduct and Disciplinary Consequences

All students attending school in District schools will be expected to accept the obligation and responsibility to attend school on a regular basis and to comply with the District's discipline code set forth in school handbook. Those students who choose not to fulfill their responsibilities at school will be held accountable for their conduct. Consequences for individual acts of misconduct are calculated to discipline the student, to deter future misconduct, and to provide a safe and positive environment in which students can learn. Students who engage in significant acts of misconduct off campus which materially and adversely impact the educational environment of district students to the extent allowed by law will be subject to discipline up to and including expulsion.



STUDENTS

Policy 2600

Discipline

The District has the authority to discipline for student conduct that is prejudicial to good order and discipline in the schools as provided by state law. School officials are authorized to hold students accountable for misconduct in school, on school property, and during school-sponsored activities. Students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline up to and including expulsion.

Students forfeit their right to a public school education by engaging in conduct prohibited in the school handbook, the code of student conduct, and/or state or federal law. Disciplinary consequences include, but are not limited to, withdrawal of school privileges (athletics, intramurals, student clubs and activities and school social events); the reassignment of the student to another school; removal for up to ten (10) school days by building principals; extension of suspensions for a total of 180 days by the Superintendent; and longer term suspension and expulsion from school by the Board of Education. See also Policies 2610, 2662, and 2663.

Removal of any student who is a student with a disability under Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act is subject to state and federal procedural due process rights. See policy 2672 and its corresponding regulation.

The District will provide annual in-service training concerning the District's discipline regulations and their implementation. Annual training will also include, but will not be limited to, approved methods of dealing with school violence, discipline of students with disabilities, and the requirements of student confidentiality.





Mark S. Penny, Ed.D.
Superintendent of Schools

October 19, 2018

VIA U.S. CERTIFIED MAIL & U.S. POSTAL MAIL
#7018 0360 0001 1250 1249

Chris/Tammy Schaefer
[REDACTED]
[REDACTED]

RE: Notice of Additional Suspension with Right of Appeal

Dear Mr. and Mrs. Schaefer:

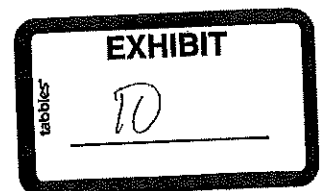
I regret to inform you that your son, A [REDACTED] "A [REDACTED]" M [REDACTED] S [REDACTED], has been suspended from school **through the end of Semester I/ 2018-2019 academic year.**

From an initial investigation, it was determined that your son is in violation of the "code of conduct and behavioral expectations" as listed in the 2018-2019 Troy Buchanan High School (TBHS) Handbook, as well as the following Lincoln County R-III School "District" Board of Education Policies: Policy #2600, Student Discipline; Policy #2610, Behavioral Expectations.

A [REDACTED] admits to being in a snapchat group text and voice stating "C [REDACTED] is dead." He wrote about it and spoke about it while in the chat room with other students. Upon discussing with Administration, A [REDACTED] admitted to talking about creating memes about C [REDACTED] being dead. He admitted to creating a meme of the student's picture with "RIP" attached, along with cutting and pasting the student's picture and placing it in a coffin with a message of "send only good vibes." The picture also depicted a sad face emoji with hands in prayer position. A [REDACTED] then requested others post these memes on their stories and it went viral around the TBHS school community.

Cyberbullying is a serious matter that tends to impair the good moral and conduct of students and will not be tolerated by the Lincoln County R-III School District. **Due to the nature of the misconduct, it is my decision to suspend A [REDACTED] from school for the remainder of Semester I/2018-2019 academic year. A [REDACTED] is eligible to return to school effective January 3, 2019.**

School assignments will be made available to A [REDACTED] for completion and possible credit. Please contact Troy Buchanan High School Assistant Principal Dr. Joy Lillard to make arrangements for schoolwork. Dr. Lillard can be reached via email at lillardj@troy.k12.mo.us or via telephone at 636.462.5148.



In accordance with District policy, no student shall be readmitted or permitted to enroll or otherwise attend school following a long-term suspension from this or any other school district until the District has conducted a conference to review the conduct that resulted in the long-term suspension, including any remedial actions needed to prevent any future occurrences of such or related conduct.

Other than to attend the District's Academic Educational Placement (AEP) Program or conferences with the Superintendent of Schools and/or his designee, A■■ is not to be on District property or within 1,000 feet of any District-related events until the date he is eligible to return to school.

Because my decision involves more than ten (10) days of out-of-school suspension, A■■ is entitled to a hearing to determine if he violated the rules in the manner stated above and to review my decision for a long-term suspension. **If you desire a hearing, please notify my office in writing within five (5) business days.**

If you request a hearing, it will be scheduled as soon as practicable at a mutually convenient time. A■■ will remain on suspension until the hearing is held.

If you request a hearing, the administration will provide you with a list of the witnesses who will testify on behalf of the administration, together with a short description of their testimony. Documents may also be used at the hearing. If documents are to be used, they will be provided to you prior to the hearing. At the hearing, you and your son, or an attorney on your behalf may present any witnesses or documentary evidence in an effort to refute the charges of misconduct and on the issue of a proper punishment, if it is determined that the misconduct occurred.

At the hearing, the Board shall consider the evidence and statements that the parties present and may provide by general rule not inconsistent with the Revised Statutes of Missouri for the procedure and conduct thereof. **In addition, the Board will have the option of upholding the recommendations made above, reducing the suspension, or imposing additional discipline as provided in the policy.**

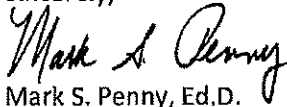
A■■, his parents, or others having custodial care shall have the right to attend the hearing and be represented by an attorney. The administration will be represented by an attorney who will present the charges, testimony, exhibits, and any other evidence that may be necessary to support the charges. A■■, his parents or others having custodial care, or his attorney shall have the right to cross-examine the administration's witnesses and to present witnesses, testimony, exhibits, and other relevant evidence in A■■'s defense.

At the conclusion of the hearing, the Board will either deliberate in executive session or adjourn and reconvene within a reasonable time after the hearing with a decision concerning A■■. The Board will render its decision in writing within a reasonably prompt time after it is reached and will provide a copy of its decision to A■■'s attorney and/or parents or others having custodial care.

I have enclosed a copy of the District's policies, regulations, and procedures concerning student discipline for your review. Documentation of this violation will be placed in A■■■■'s discipline record, and notification to Law Enforcement and the Juvenile Office will be made.

If you have any questions regarding the reasons for the proposed suspension or questions connected with a hearing (if requested), please feel free to contact my office.

Sincerely,



Mark S. Penny, Ed.D.
Superintendent of Schools

Enclosures

cc: Jerry Raines, Ed.D., Principal, Troy Buchanan High School
Joy Lillard, Ed.D., Assistant Principal, Troy Buchanan High School
Barb Hatcher, M.Ed., Principal, New Horizons High School/AEP Program
Amy Tippet, School Resource Officer, Lincoln County Sheriff's Office

Troy Buchanan High School



2018 - 2019 Student Handbook

Board Approved: July 17, 2018

Policies, Regulation, and Forms may be amended by the R-III Board of Education at their sole discretion.

CODE OF CONDUCT

DEFINITIONS

Detention: the student will attend sessions outside of the regular school day for a specific amount of time on the dates he/she has been assigned.

Weekly Detention Schedule:

DAYS	TIMES	LOCATION
Monday thru Friday	6:45 am - 7:25 am	Designated Room
Monday & Tuesday	2:35 pm - 3:15 pm	ISS Room - Room 109
Thursday	2:35 pm - 4:05 pm	ISS Room - Room 109
Saturday	8:30 am - 12:30 pm	Various - Start in Foyer

Rules:

After school detentions are held on Mondays and Tuesdays until 3:15 pm and Thursdays until 4:05 pm when school is in session. Students are to be in **Room 109** and seated by 2:35 pm and stay until they have completed their assigned time.

Morning detention will be served in a designated room from 6:45 am to 7:25 am on all school days. Students are required to add their name to the sign in sheet to receive credit for serving detention before school.

Saturday detention will be served in a designated room from 8:30 am through 12:30 pm on specified days. Students are required to bring all appropriate materials and must be prepared to study quietly. Failure to do so may result in removal from detention.

Students may be allowed to leave detention only with teacher or administrator permission. Students may reschedule one detention per semester with prior administrative approval.

Students who miss their assigned detention window are expected to report to their grade level administrator the next school day.

Students who fail to attend or follow detention rules will be given additional detention time or ISS according to the following chart.

Failure to complete assigned detention time or follow detention rules:

<i>1st Offense per semester</i>	<i>Rescheduled</i>
<i>2nd Offense per semester</i>	<i>Time is doubled</i>
<i>Subsequent Offenses per semester</i>	<i>1-3 days ISS</i>

In-School Suspension (ISS): the student is denied the privilege of attending regular classes. The student reports to the ISS room at the start of the day for a specific amount of time as determined by the offense committed, receiving full credit for all work completed while in ISS. Students who are assigned ISS will receive ISS guidelines from an administrator. Students are excluded from any school activities until the first calendar day after the assigned ISS time is successfully completed. Violation of the ISS contract may result in additional days of ISS, OSS, or the loss of ISS privileges.

Out-of-School Suspension (OSS): the student is denied the privilege of attending a school day, participating in classes, participating in or attending any extracurricular activities or school sponsored functions whether on campus or at another facility for the length of the suspension. The opportunity to make up work missed while on OSS will be extended upon the student's return to school for suspensions less than 10 days (for suspensions of more than 10 days, arrangements will be made with the Guidance Office to make up the work missed). OSS is defined as school days, not calendar days. OSS days do not count when school is not in session (i.e., snow days, holidays, summer days). **Administration may require a reentry conference with parent/guardian and student prior to returning to school.**

Referral to Superintendent: The Superintendent of Schools will review the discipline file and determine if additional actions are warranted such as but not limited to:

- 11-180 days of additional OSS
- Professional Counseling
- Referral to School Board for Expulsion

Academic Educational Placement (AEP): A program designed to assist high school students who have been suspended out of school. Students who are placed in the AEP program will receive daily instruction on coursework as well as lessons on Positive Behavior Supports (PBS) and/or Character Education. Our goal is to keep students current on their coursework while helping students acquire the pro-social skills to be successful in their home school.

Expulsion: the permanent removal of a student from the Lincoln County R-III School District by action of the Board of Education. Only the Board of Education can expel a student from school.

STUDENT CODE OF CONDUCT

The Student Code of Conduct is designed to foster student responsibility, respect for the rights of others, and to ensure the safe and orderly operation of the Lincoln County R-III Schools. No code of policy can be expected to list each and every offense, which may result in the use of disciplinary action. However, it is the purpose of the code to list certain offenses, which, if committed by a student, will result in the imposition of a certain disciplinary action. Any conduct not included herein, or an aggravated circumstance of any offense or an action involving a combination of offenses may result in disciplinary consequences that extend beyond this code of conduct as determined by the Principal, Superintendent and/or Board of Education. In addition, prior offenses and disciplinary action may be considered when determining disciplinary consequences. The Lincoln County R-III School District student discipline and conduct code follows the laws set out in the Missouri Safe Schools Act.

BULLYING

Bullying is the intentional action by an individual or group of individuals to inflict intimidation, unwanted aggressive behavior, extortion, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting acts of bullying. For more information reference Bullying under General Expectations.

Students who are found to have violated this policy will be subject to consequences depending on factors such as: age of student(s), degree of harm, severity of behavior, number of incidences, etc.

***1st and Subsequent
Offense:***

*Conference with teachers/administrator, parent
notification, detention, ISS, OSS, referral to
Superintendent, expulsion, notification to law
enforcement.*

STUDENTS**Policy 2600****Discipline**

The District has the authority to discipline for student conduct that is prejudicial to good order and discipline in the schools as provided by state law. School officials are authorized to hold students accountable for misconduct in school, on school property, and during school-sponsored activities. Students who engage in significant acts of misconduct off campus which materially and adversely impact the education of District students will be subject to discipline up to and including expulsion.

Students forfeit their right to a public school education by engaging in conduct prohibited in the school handbook, the code of student conduct, and/or state or federal law. Disciplinary consequences include, but are not limited to, withdrawal of school privileges (athletics, intramurals, student clubs and activities and school social events); the reassignment of the student to another school; removal for up to ten (10) school days by building principals; extension of suspensions for a total of 180 days by the Superintendent; and longer term suspension and expulsion from school by the Board of Education. See also Policies 2610, 2662, and 2663.

Removal of any student who is a student with a disability under Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act is subject to state and federal procedural due process rights. See policy 2672 and its corresponding regulation.

The District will provide annual in-service training concerning the District's discipline regulations and their implementation. Annual training will also include, but will not be limited to, approved methods of dealing with school violence, discipline of students with disabilities, and the requirements of student confidentiality.

STUDENTS**Policy 2610****Discipline****Misconduct and Disciplinary Consequences**

All students attending school in District schools will be expected to accept the obligation and responsibility to attend school on a regular basis and to comply with the District's discipline code set forth in school handbook. Those students who choose not to fulfill their responsibilities at school will be held accountable for their conduct. Consequences for individual acts of misconduct are calculated to discipline the student, to deter future misconduct, and to provide a safe and positive environment in which students can learn. Students who engage in significant acts of misconduct off campus which materially and adversely impact the educational environment of district students to the extent allowed by law will be subject to discipline up to and including expulsion.

STUDENTS**Policy 2662
(Regulation 2662)
(Form 2662)****Discipline****Suspension**

Suspension refers to an exclusion from school for a specific period of time short of permanent exclusion. Building principals are authorized to suspend students for periods of time not to exceed ten (10) consecutive school days for violation of District regulations, and are authorized to impose additional suspensions of not more than 10 consecutive school days in the same school year for separate acts of misconduct. Building principals may also recommend extensions of suspension for periods of time up to 180 consecutive school days by the Superintendent. The Superintendent of schools may suspend students for periods up to 180 consecutive school days and recommend longer suspensions and expulsions to the Board of Education. Only the Board may impose suspensions in excess of 180 consecutive school days.

STUDENTS**Regulation 2662
(Form 2662)****Discipline****Suspension**

Students are expected to conduct themselves in accordance with Board Policy 2600. Failure to do so may result in a student's suspension or expulsion from school.

A building principal may suspend a student for a period not to exceed ten (10) consecutive school days. Any suspension shall be reported immediately, in writing, to the student and the student's parent/guardian or others having custodial care of the student. A copy will be forwarded to the Superintendent. The Superintendent may revoke or reduce the suspension if the Superintendent concludes that circumstances warrant such action.

When a student is suspended, the principal/designee shall attempt to reach the student's parent/guardian to inform them of the school's action and to request that they pick up their child. If the parent/guardian is unable to pick up their child, the principal/designee may ask the parent/guardian for permission to send the student home.

If the parent/guardian is unable to pick up their child, the principal/designee may ask the parent/guardian for permission to send the student home. If the parent/guardian cannot be reached or if the above request is refused, the student must remain on school property until the close of the school day.

If the principal decides that a suspension in excess of ten (10) consecutive school days is warranted, the principal may petition the Superintendent for such suspension.

The Superintendent of Schools may suspend a student for a period not to exceed 180 consecutive school days.

No student shall be suspended by a principal or by the Superintendent unless:

The student shall be informed, orally or in writing, of the charge against him/her, and

If the student denies the charge, he/she shall be given an oral or written explanation of the facts which form the basis of the proposed suspension, and

The student shall be given an opportunity to present his/her version of the incident to the principal or Superintendent.

A student who is on suspension may not be within 1,000 feet of any school property unless he/she lives within 1,000 feet of the school, has a parent with him/her, or has been requested by the administration to attend a meeting at the school, or any activity of the District, regardless of whether or not the activity takes place on school property, unless the Superintendent/designee has authorized the student to be on school property. This restriction does not apply to suspended students enrolled and attending an alternative school which is within 1,000 feet of a District school.

If a suspension is ordered by the Superintendent for more than ten (10) consecutive school days, the Superintendent's order may be appealed to the Board of Education if written notice of appeal is delivered to the office of the Board of Education within five (5) days of receipt of the Superintendent's suspension letter. If such suspension is appealed, the Superintendent shall promptly provide the Board with a report of the facts involved in the suspension, the action taken by the Superintendent, and the reasons for the Superintendent's decision.

In such event, the suspension shall be stayed until the Board renders its decision, unless in the judgment of the Superintendent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the student may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

Any appeal to the Board of Education of the Superintendent's decision to suspend a student for more than ten (10) consecutive school days may be heard and determined by the full Board or by a quorum thereof, or by a committee of three Board members appointed by the President of the Board. Such committee shall have full authority to act in lieu of the Board.

Students will be readmitted or enrolled after expiration of their suspension from the District or from any other district only after a conference has been held to consider prior misconduct and remedial steps necessary to minimize future acts of similar misconduct. (See Policy and Regulation 2664 --

Enrollment or Return Following Suspension and/or Expulsion.) Participants in such pre-admission conferences will include:

Any teacher directly involved in the suspension offense.

The student.

The parent/guardian.

The representative of any agency having legal jurisdiction, care, custody, or control of the student.

District staff members designated by the Superintendent/designee.

Note: For suspensions involving disabled students under Section 504 or the IDEA, see also Policy and Regulation 2672.

STUDENTS

Policy 2664

(Regulation 2664)

Discipline

Enrollment or Return Following Long-Term Suspension

No student shall be readmitted, or permitted to enroll or otherwise attend school (except as may otherwise be required by law), following a long-term suspension from this or any other school until the District has conducted a conference to review the conduct that resulted in the long-term suspension, and any remedial actions needed to prevent any future occurrences of such or related conduct.

STUDENTS

Regulation 2664

Discipline

Enrollment or Return Following Long-Term Suspension

Conference Required

The conference may include the appropriate school officials, including (1) any teacher employed in the District or directly involved with the conduct that resulted in the long-term suspension (2) the student, (3) the parent/guardian of the pupil, and (4) any agency having legal jurisdiction, care, custody or control of the student.

The District shall notify in writing the parent/guardian and all other parties of the time, place, and agenda of any such conference. However, if failure of any party to attend this conference shall not preclude holding the conference.

Notwithstanding any provision of this regulation to the contrary, no student shall be readmitted or enrolled in a regular program of instruction if:

The student has been convicted of one of the offenses listed below.

951 West College ♦ Troy, MO 63379 ♦ (p)636.462.6098 ♦ (f)636.462.6099 ♦ superintendent@troy.k12.mo.us
"Educating Today for a Successful Tomorrow"

The student has been charged with one of the offenses and there has been no final judgment.

A juvenile petition has been filed alleging that the student committed an act, which if committed by an adult, would be one of the offenses listed below, and there has been no final judgment; or

The student has been adjudicated to have committed an act, which if committed by an adult, would be one of the offenses listed below.

Offenses to Which this Policy Applies

1. First degree murder under Mo. Rev. Stat. § 565.020
2. Second degree murder under Mo. Rev. Stat. § 565.021
3. First degree assault under Mo. Rev. Stat. § 565.050
4. Forcible rape under Mo. Rev. Stat. § 566.030
5. Forcible sodomy under Mo. Rev. Stat. § 566.060
6. Robbery in the first degree under Mo. Rev. Stat. § 569.020
7. Distribution of drugs to a minor under Mo. Rev. Stat. § 195.212
8. Arson in the first degree under Mo. Rev. Stat. § 569.040
9. Kidnapping, when classified as a Class A felony under Mo. Rev. Stat. § 565.110
10. Statutory rape under Mo. Rev. Stat. § 566.032
11. Statutory sodomy under Mo. Rev. Stat. § 566.062

Nothing in this regulation shall be construed to prevent the District from imposing discipline under the Student Code of Conduct for conduct underlying the above-listed offenses, even if the adult charge or juvenile petition has been dismissed, or the student has been acquitted or adjudicated not to have committed such acts in a criminal or juvenile court — if by a preponderance of the evidence, it can be established that the student engaged in the underlying conduct. The District may enroll a student, otherwise excluded under this regulation, in an alternative education program if the District determines that such enrollment is appropriate.

This policy shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability.

Students denied enrollment because of conviction of one of the acts set out in this regulation or due to an existing suspension or expulsion from another school district will be advised of the reasons for denial of enrollment and will be given an opportunity to respond to those reasons.

Suspension or Expulsion from Other Schools

Prior to enrollment, a student who is under suspension or expulsion from any other in-state or out-of-state public or private school and who is seeking admission will be evaluated by the Superintendent or Superintendent's designee. However, upon request, the Superintendent/designee will confer with the pupil, parent/guardian or person acting as parent of a special education student to consider imposition of the other school's suspension or expulsion. If the Superintendent/designee determines that such conduct would have resulted in a suspension or expulsion had the conduct been committed in District schools, the suspension or expulsion will be implemented.

STUDENTS

Policy 2671
(Regulation 2671)
(Form 2671)

Discipline**Student Discipline Hearings**

Parents/guardians of students suspended for more than ten (10) school days may make a written request for a hearing before the Board of Education. This request will be addressed to the Superintendent who will review all matters concerning the suspension and refer the request for a Board hearing.

In conducting a discipline hearing the Board will carefully consider the information presented by the Administration and by the parent/guardian. In making its decision concerning guilt and innocence as well as punishment, the Board will be mindful of Board Discipline Policies in place, the effect of its decision upon the individual student, and the safety and welfare of District students and staff.

STUDENTS

Regulation 2671
(Form 2671)

Discipline**Student Discipline Hearings****Rules of Procedure in Hearings before the Board of Education on Suspension and Expulsion Matters**

Students or students' parents/guardians may request a hearing before the Board to contest any suspension in excess of ten (10) school days. The request will be addressed to the Superintendent who will review all matters concerning the suspension.

No student may be expelled until this matter is reviewed in a hearing before the Board of Education.

The parent/guardian may represent their student or may retain an attorney to act as a representative in the defense of the student. The representative will have the right to present

witnesses, question any and all witnesses as herein provided, and make a statement and offer exhibits on the nature of the evidence and disposition of the case. If the parent/guardian elects to have the student represented by an attorney at the hearing, the parent/guardian shall notify the Superintendent of such representation at least twenty-four (24) hours prior to the scheduled time of the hearing.

Prior to the hearing, the parties, or their attorneys, may examine at the Board Office the discipline report and all related records.

Upon the request of any party, the Superintendent shall submit for review at the hearing the student's behavioral and academic record. If necessary, the information contained in such record may be explained and interpreted by a person trained in its use and interpretation. All parties shall be instructed to respect the confidentiality of all such records and information.

At the hearing, the Board may consider a student's record of past disciplinary actions, criminal court records, juvenile court records, and any actions of the student which would be criminal offenses.

The parties may present evidence concerning the charges and make such showing by way of affidavits, exhibits, and witnesses as they may desire. Before testifying, witnesses shall be sworn.

The President of the Board of Education, or the Chairman of the designated committee of the Board, shall have full charge of the hearing and shall have the authority to direct its proceedings and to control the conduct of all persons present in accordance herewith.

Such authority shall include the limitation of questioning that is unproductive, lengthy, or irrelevant. The Board may invoke reasonable limitations on the number of witnesses.

The hearing shall not be open to the public. In addition, the Board may set reasonable limitations on the number of people present during the hearing.

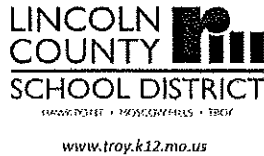
The Board shall also have the right to exclude any person or persons if it shall determine that the hearing is being disrupted by any such person.

Hearings may be attended only by members of the Board of Education, the Superintendent of Schools, the School Board attorney, the principal, the student, the parent/guardian and their representatives. Witnesses may be present only when giving information at the hearing. With parent/guardian permission, the student may be excluded at times when the student's psychological or emotional problems are being discussed.

A record shall be made of any information presented at the hearing. Statements and other written matter presented shall be kept on file by the District.

As soon as practicable after the hearing, the Board shall make its decision and transmit the same in writing to the parties and the Superintendent.

The Board or its committee shall decide by majority vote whether the student has engaged in the misconduct charged by District Administrators. The decision will be based solely on the evidence presented at the hearing and must include findings of fact on which the decision rests.



Mark S. Penny, Ed.D.
Superintendent of Schools

October 24, 2018

Tammy/Chris Schaefer
[REDACTED]
[REDACTED]

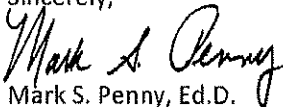
Dear Mr. and Mrs. Schaefer:

Per your request to appeal the suspension issued to your son, A [REDACTED] "A [REDACTED]" M [REDACTED] S [REDACTED], the Lincoln County R-III Board of Education will hold a hearing to address your appeal. The planned date of the hearing is November 6, 2018, at 2:00 pm. The hearing will take place at the District's Central Offices located at 951 W. College Street, Troy (MO).

At the hearing, all parties will have the right to present witnesses, question all witnesses, offer exhibits, and make a statement on the nature of the evidence and disposition of the case.

If you have any questions prior to the hearing, please feel free to contact me.

Sincerely,


Mark S. Penny, Ed.D.
Superintendent of Schools

cc: Chris Chaney, Ed.D., Lincoln County R-III School District
Jerry Raines, Ed.D., Principal, Troy Buchanan High School
Joy Lillard, Ed.D., Assistant Principal, Troy Buchanan High School
Johnathon White, Ed.D., Assistant Principal, Troy Buchanan High School



To: Page 2 of 2

2018-11-02 14:15:00 (GMT)

13147549103 From: The Rhoads Firm, LLC

THE RHOADS FIRM, LLC
EDUCATION. IMMIGRATION. LITIGATION.

3703 Watson Rd.
St. Louis, MO 63109
www.therhoadsfirmllc.com

Phone: (314)225-8848
Fax: (314)754-9103
e-mail: therhoadsfirmllc@gmail.com

November 2, 2018

VIA FAX TO:

Mark S. Penny, Ed.D.
Superintendent of Schools
Lincoln County School District
951 W. College
Troy, MO 63379
(636) 462-6099

Re: A■■■■■ S■■■■■; Troy Buchanan High School
Legal Representation on Appeal of Suspension

Dear Superintendent Penny:

Please take notice that I represent A■■■■■ S■■■■■ through his parents, Chris and Tammy Schaefer, in connection with the appeal of his pending suspension. I believe that Mr. Schaefer has already notified district officials of my engagement.

I understand that a hearing has been scheduled for next Tuesday, November 6, although neither the Schaefer's nor I am certain of the precise agenda of that hearing. I am respectfully requesting that you have the school district's counsel contact me, or that you disclose to me who your district's counsel is, so that we may make the appropriate arrangements for a hearing.

Please understand that time is of the essence on this request. Thank you.

Sincerely,

Daniel J. Rhoads
Daniel J. Rhoads



**MICKES
O'TOOLE, LLC**
ATTORNEYS AT LAW

12444 Powerscourt Drive
Suite 400
St. Louis, MO 63131
Tel 314.878.5600
Fax 314.878.5607

Natalie A. Hoernschemeyer
natalie@mickesotoole.com

November 2, 2018

Via electronic mail (therhoadsfirmlc@gmail.com)
and U.S. FIRST CLASS MAIL

Mr. Daniel J. Rhoads
The Rhoads Firm, LLC
3703 Watson Rd.
St. Louis, MO 63109

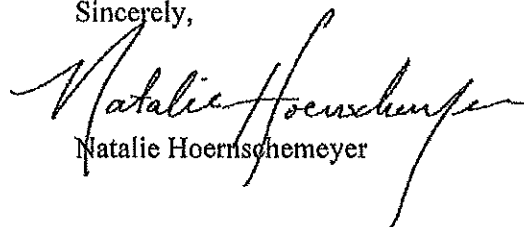
Re: In re A [REDACTED] S [REDACTED]

Dear Mr. Rhoads:

Our firm represents the Lincoln County R-III School District. I am in receipt of your letter dated, November 2, 2018. I will be handling the above-referenced matter on behalf of the District.

Please direct all future communication to my attention. If you have any questions, please feel free to contact my office.

Sincerely,


Natalie Hoernschemeyer

cc: Dr. Penny, Superintendent

Subject: RE: Schaefer Hearing

From: "Daniel J. Rhoads" <therhoadsfirmllc@gmail.com>

Date: November 5, 2018 at 9:54:13 AM CST

To: natalie@mickesotoole.com

Subject: Schaefer Hearing

Dear Natalie:

Thanks again for the call on Saturday. As I promised I'd send you a note this morning, I'm writing to state formally that the Schaefer's are waiving their appeal to the 10/5/18 suspension related to the picture sent to the staff member. Thus, tomorrow's hearing will be limited to the 10/19/18 suspension related to the off-campus Snapchat discussion.

I will send you more information this afternoon. The only other questions I have at this time regard the conduct of the hearing. I do not have a written notice stating the time and place of the hearing. I am also not clear on whether the hearing will be transcribed by a court reporter.

What I do have is the 10/19/18 letter which states, "If you request a hearing the administration will provide you with a list of the witnesses who will testify on behalf of the administration, together with a short description of their testimony. Documents may also be used at the hearing. If documents are to be used, they will be provided to you prior to the hearing." I am hereby requesting that you or your office send me the list of witnesses and the documents to be used at the hearing by today's end.

Thank you.

Sincerely,
Dan Rhoads

Daniel J. Rhoads
The Rhoads Firm, LLC
Education. Immigration. Litigation.
3703 Watson Rd.
St. Louis, MO 63109
(314)225-8848
Fax: (314) 754-9103
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Tel 314.878.5600
Fax 314.878.5607

Natalie A. Hoernschemeyer
natalie@mickesotoole.com

November 5, 2018

Via electronic mail (therhoadsfirmllc@gmail.com)

Mr. Daniel J. Rhoads
The Rhoads Firm, LLC
3703 Watson Rd.
St. Louis, MO 63109

Re: In re A [REDACTED] S [REDACTED]

Dear Mr. Rhoads:

Thank you for speaking with me on Saturday, November 3, 2018, when we discussed the upcoming student discipline appeal hearing on behalf of your client. Hopefully, I answered all of your questions.

This letter reconfirms that the student discipline appeal hearing on November 6, 2018, will take place in closed session at 2:00 p.m. at the District's Central Office located at 951 W. College Street, Troy, MO 63379. This time and date was previously sent directly to your clients, Mr. and Mrs. Schaefer, on October 24, 2018. This hearing will be transcribed by a court report, Alaris Litigation Services.

Also, I am in receipt of your letter dated today, November 5, 2018, stating that you and your client will only seek to appeal the recent disciplinary incident for cyberbullying and that you and your client are affirmatively not appealing the disciplinary incident for sending a nude picture to a staff member.

Also, as you requested, below is the list of witnesses who I expect will testify on behalf of the Administration:

- Dr. Mark S. Penny; *Superintendent – will testify regarding reasons why he chose to implement long term suspension; district policies; how and why the suspension is implemented.*
- Dr. Joy Lillard; *High School Assistant Principal - will testify regarding reasons why she determined A [REDACTED] violated the student discipline policy regarding bullying and the effects of his actions on the educational environment; her decision for 10 days suspension.*

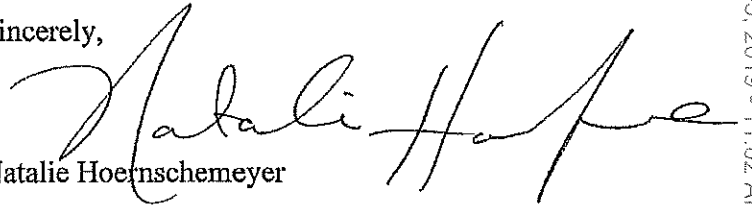
- Dr. Jerry Raines; *High School Principal- he will testify regarding reasons why A ■ violated the student discipline policy regarding bullying and the effects of his actions on the educational environment.*

Also, enclosed with this letter is a copy of the exhibits I plan on using. Please send me a list of your witnesses and a copy of your exhibits to my attention as well.

If you have any questions, please feel free to contact my office.

Sincerely,

Natalie Hoenschemeyer

A handwritten signature in black ink, appearing to read 'Natalie Hoenschemeyer', written over the printed name.

Enclosures: Administration Exhibits

cc: Dr. Penny, Superintendent

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of January, 2019, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system and electronic mail upon the following counsel of record:

Daniel J. Rhoads
The Rhoads Firm, LLC
3703 Watson Rd
St. Louis, MO 63109
therhoadsfirmlc@gmail.com
Attorney for Plaintiff

/s/ Natalie A. Hoernschemeyer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of January, 2019, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system and electronic mail upon the following counsel of record:

Daniel J. Rhoads
The Rhoads Firm, LLC
3703 Watson Rd
St. Louis, MO 63109
therhoadsfirmlc@gmail.com
Attorney for Plaintiff

/s/ Joshua E. Douglass